

Assemblies of the Member States of WIPO

Forty-Eighth Series of Meetings Geneva, September 20 to 29, 2010

MEDIUM TERM STRATEGIC PLAN FOR WIPO, 2010 - 2015

document prepared by the Secretariat

1. The proposed Medium Term Strategic Plan (MTSP) for WIPO originates in a proposal adopted by Member States in the 2006 “New Mechanism to increase the involvement of Member States in the preparation and follow up of the program and budget.” It provides a high level strategic framework, which will guide the preparation of the Program and Budget documents for the 2012/13 and 2014/15 biennia.
2. The MTSP contained in the attached document addresses the changes in the external environment over the medium term; the resulting challenges and opportunities for intellectual property and for the work of WIPO; the strategic level outcomes which the Organization seeks to achieve in the six-year period; and the broad strategies that will be adopted to deliver those outcomes.
3. The proposed MTSP was developed through an intensive, interactive consultation process between the Secretariat and Member States. The resulting document seeks to reflect as fully as possible the views and shared priorities expressed in that process.

4. The Assemblies of the Member States of WIPO are invited to take note of, and comment on, the contents of this document.

[Medium Term Strategic Plan for WIPO, 2010 – 2015, follows]

MISSION

The promotion of innovation and creativity for the economic, social and cultural development of all countries, through a balanced and effective international intellectual property system

A MEDIUM TERM STRATEGIC PLAN FOR WIPO, 2010 – 2015

(August 20, 2010)

TABLE OF CONTENTS

I.	FOREWORD BY THE DIRECTOR GENERAL	4
	The New Strategic Framework	8
II.	THE SUBSTANTIVE GOALS	
	Strategic Goal I: Balanced Evolution of the International Normative Framework for Intellectual Property	10
	Strategic Goal II: Provision of Premier Global IP Services	16
	Strategic Goal III: Facilitating the Use of IP for Development	24
	Strategic Goal IV: Coordination and Development of Global IP Infrastructure	30
	Strategic Goal V: World Reference Source for IP Information and Analysis	34
	Strategic Goal VI: International Cooperation on Building Respect for IP	38
	Strategic Goal VII: Addressing IP in Relation to Global Policy Issues	42
III.	THE ENABLING GOALS	
	Strategic Goal VIII: A Responsive Communications Interface between WIPO, its Member States and all Stakeholders	46
	Strategic Goal IX: An Efficient Administrative and Financial Support Structure to Enable WIPO to Deliver its Programs	50
IV.	ANNEXES	
	Annex I: Financial Overview 2010-2015	54
	Annex II: WIPO's Results Based Management Framework	58

FOREWORD BY THE DIRECTOR GENERAL¹

The Medium Term Strategic Plan (MTSP) provides an opportunity for the Organization to take a step back from its daily preoccupations and to engage in the process of setting strategic directions for the next six years. The course of those directions will depend largely on the changes that it is expected will affect the circumstances and context in which intellectual property and the Organization operate. There are many such changes and they appear to be rapid, profound and complex. I should like to highlight a few of these changes, in particular, which I believe have a special impact on the world of intellectual property.

The changing landscape

The first is the set of changes that are described by the term “the knowledge economy”, chiefly the increased value of the share of knowledge in production. Knowledge-intensive and technology-intensive industries are estimated to have accounted for 30 percent of global economic output, or some US\$15.7 trillion in 2007. The increased importance of the share of knowledge has spurred a steady intensification in investment in the creation of new knowledge. Worldwide, some US\$1.1 trillion was invested in research and development (R&D) in 2007, up from some US\$525 billion a decade earlier in 1996. The intensification of investment in the million patent applications, 3.3 million trademark applications and 621,000 industrial design applications were filed around the world.

The capacity of intellectual property offices to cope with this increase in demand is stretched, as is apparent from the untenably large backlog of unprocessed patent applications. There is no indication that the underlying causes of the demand surge will abate. On the contrary, all indicators suggest that investment in the creation of new knowledge will continue to increase. This trend emphasizes the importance of WIPO’s global systems – the Patent Cooperation Treaty (PCT), the Madrid System for trademarks and the Hague System for industrial designs – as agreed mechanisms for enhancing the world’s capacity to cope with rising demand (Strategic Goal II (Provision of Premier Global IP Services)).

A second set of changes is geographic. The locus of technology production is shifting. There are many indicators that confirm this development. In the world of patents, it is quite apparent. In 1994, China, Japan and the Republic of Korea accounted for 7.6 percent of international patent applications filed under the PCT. In 2009, they accounted for 29.2 percent of those applications. The top five sources of international patent applications are now, in order, the United States of America, Japan, Germany, the Republic of Korea and China. The top five patent offices in terms of numbers of applications received are now, in order, the patent offices of the United States of America, Japan, China, the Republic of Korea and the European Patent Office.

The change in the geography of science and technology has, of course, many implications. Amongst them, from the point of view of WIPO, is the increased linguistic diversity of the technology that patent offices use as a basis for determining whether an invention is patentable, and that enterprises and research institutions use to identify freedom to operate or to determine what rights, if any, may be opposed to them in their intended operations. This linguistic diversity calls attention to the need for patent offices to cooperate in searching technology, since no Office is capable of covering the full range of languages (Strategic Goals II (Provision of Premier Global IP Services) and IV (Coordination and Development of Global IP Infrastructure)). It also calls attention to the skill profiles of WIPO staff working, in particular, in the PCT, Madrid System and Hague System (Strategic Goal IX (An Efficient Administrative and Financial Support Structure to enable WIPO to deliver its Programs)). These skill profiles have to reflect the language capacity to process applications in the languages in which they are received.

¹ The Director General’s Foreword to the MTSP is intended to provide a perspective from the Director General, and, as such, is not a negotiated statement by the Member States.

A third trend of change is the internationalization of science and technology production. Again, there are many indicators of this trend. In the area of science, in 2007, 21.9 percent of scientific articles were internationally co-authored, three times as many as in 1985. In technology, 15 percent of international applications filed under the PCT from OECD countries concerned inventions made outside the country of filing (- a measure of the delocalization or internationalization of R&D).

This trend also has many implications. They include the capacity of countries, in terms of both the technical infrastructure (Strategic Goal IV (Coordination and Development of Global IP Infrastructure)) and the human capacity (Strategic Goal III (Facilitating the Use of IP for Development)) to participate in the growing collaboration in knowledge production, as well as the strategic approach and regulatory environment that countries might wish to adopt to attract R&D investment (Strategic Goal III (Facilitating the Use of IP for Development)).

Globalization, in the sense of the increased movement of people, products and capital, the internationalization of science and technology and information and communication technology (ICT) have all influenced innovation models. Generally speaking, they have provided the impetus for a fourth trend of change, namely, “open innovation” or the tendency for firms to look outside themselves to satisfy their innovation needs, whether through traditional means, such as licensing, sub-contracting, R&D contracts or joint ventures, or through newer means, such as the use of problem-solvers on the Internet or open source cooperation.

Open innovation or, more generally, changing patterns of innovation, has implications for capacity to take advantage of the new models of innovation (Strategic Goals III (Facilitating the Use of IP for Development)) and for the need for greater understanding of its impact on IP (Strategic Goal V (World Reference Source for IP Information and Analysis)).

A fifth set of changes are those that relate to the impact of digital technology and the Internet on the production, distribution and consumption of cultural works. The impact is profound and signals a fundamental challenge for the institution of copyright. The objective of that institution is clear: to provide a market-based mechanism that extracts some value from cultural transactions so as to enable creators to lead a dignified economic existence while, at the same time, ensuring the widest possible availability of affordable creative content. The question is not so much the objective of the system, but the means of achieving that objective amid the convergence of the digital environment. Many experiments in better achieving the objective are going on around the world, both in terms of legislative solutions and in terms of new business models. As news, literature and films join other forms of content in migrating to the Internet, the time available for developing an accepted solution is not much longer than the time span of WIPO’s Medium Term Strategic Plan.

The crisis of copyright concerns essentially the question of the financing of culture in the 21st Century. It is fundamental to several Strategic Goals (I (Balanced Evolution of the international Normative Framework for IP), Goal III (Facilitating the Use of IP for Development), Goal V (World Reference Source for IP Information and Analysis) and Goal VI (International Cooperation on Building Respect for IP)).

Many of the questions that have preoccupied the Organization in the past century have concerned the conditions for the grant of IP rights. These remain important questions, but another area of change is the emphasis that is also being placed on the use of IP rights after their grant. It is this latter area that has attracted attention in the fields of transfer of technology, competition law, health, the environment, collective management of copyright, the intersection of the finance system and IP (the valuation of intangibles, securitization, insurance and so forth) and the role of IP in development. The shift in emphasis reflects an acknowledgement that IP is a market-based mechanism. As such, the grant of IP titles can only ever tell part of the story. The capacity to use IP rights after grant tells the other part.

The new emphasis on the use of IP has implications for many of the Strategic Goals of the Organization (Goal I (Balanced Evolution of the International Normative Framework for IP), Goal

III (Facilitating the Use of IP for Development), Goal IV (Coordination and Development of Global IP Infrastructure), Goal V (World Reference Source for IP Information and Analysis), Goal VI (International Cooperation on Building Respect for IP) and Goal VII (Addressing IP in relation to Global Policy Issues).

A final area of change to mention concerns the knowledge gap, the digital divide and poverty reduction. The Millennium Development Goals (MDGs) foresee positive change in all these areas. As the Organization's Development Agenda makes clear, the focus on development pervades all substantive Strategic Goals, not just Strategic Goal III (Facilitating the Use of IP for Development). In all areas of the Organization's work, progress must be made on improving the participation of the developing, least developed and transition countries in the international IP system and in the social and economic benefit of innovation and creativity. This, in turn, will be reflected in a positive contribution to the achievement of the MDGs.

In addition to the pervasive focus of development in all of the substantive Strategic Goals, the demand for development-related services from the Organization has an important impact on the enabling Strategic Goals VIII (A Responsive Communications Interface between WIPO, its Member States and all Stakeholders) and IX (An Efficient Administrative and Financial Support Structure to enable WIPO to deliver its Programs). In particular, it seems clear that the opportunities for growth in WIPO's Global IP Systems, which are the source of 93 percent of the income of the Organization, are limited. Certainly, it would seem that the rate of growth in those Systems is much more modest than the rate of growth in demand for development-related services from the Organization. In the medium term, and building on the success of our existing Funds in Trust arrangements, and on the Conference on Mobilizing Resources for Development which was organized last year under the Development Agenda, consideration will need to be given to increased use of extra-budgetary sources for financing the new growth in demand that exceeds the growth in revenue. This would not be in any way to replace the central role of WIPO's regular budget funding for these activities, but rather to increase WIPO's overall capacity to respond to Member State needs.

The foregoing description of some of the main change factors affecting IP and the Organization is hardly exhaustive. It covers only the main elements that seem to be shaping the future world that the Organization must serve.

The MTSP process

In the Revised Program and Budget for 2008/09, Member States adopted nine new strategic level goals for WIPO. These Strategic Goals provide the starting point and the approved strategic framework for elaboration of the MTSP.

This MTSP, which has been developed through an intensive consultative process, represents a joint endeavor between the Secretariat and the Member States. Shared ownership of the MTSP by Member States and the Secretariat – built on a shared understanding and unified commitment to what we are trying to achieve – will be essential for its successful implementation.

For the purpose of the proposed plan, we have taken the medium term to cover a period of six years, from 2010 to 2015, thus spanning three Program and Budget biennia including the current one. The approved MTSP will guide the preparation of the Program and Budgets for the 2012/13 and 2014/15 biennia, so ensuring that these, from the start, clearly follow the strategic directions agreed by the Member States. In this way, the MTSP will fulfill the purpose for which it was originally proposed in the 2006 "new mechanism" to increase the involvement of Member States in the preparation and follow-up of the program and budget.

The MTSP marks an important milestone in the development of WIPO's results-based management framework. (A graphic showing how the MTSP fits into WIPO's overall planning and results framework, and its relationship to the Program and Budget process, is attached at Annex II). The Outcomes under each Strategic Goal establish a jointly agreed frame of reference, through which the Secretariat will be held accountable to Member States for its

performance against agreed objectives. High level Outcome Indicators have been included as a means of measuring progress towards these objectives.

The MTSP is an integral element of the WIPO Strategic Realignment Program (SRP), as part of which it will make a substantive contribution to the core value of *accountability for results*. Moreover, underpinning the strategies elaborated under every goal of the MTSP are the four core values, which define the objectives of the SRP, namely:

- **Service orientation:** we increase our responsiveness to our Member States and other stakeholders; and our customers are satisfied with our services;
- **Working as one:** we work as an integrated, responsive and efficient entity that is fit for purpose and delivers value for money;
- **Accountability for results:** we take ownership for our performance and achieve results;
- **Environmental, social and governance responsibility:** we perform in an ethical manner and care about our staff, community and the environment.

The work of producing this first MTSP has been rendered more difficult by the fact that it is being developed at a time when global economic recovery remains fragile. While, in the long term, the indications are that investment in the creation of knowledge will continue to drive up demand for WIPO's Global IP Systems, the impact of the economic downturn in the medium term is less certain. A financial overview covering projections for the six year period of the MTSP is attached at Annex I. This shows that over these three biennia, we expect to see a return to continuing modest increase of WIPO's revenue levels, with total income forecast to reach between 620 million Swiss francs (low case) and 695 million Swiss francs (high case) by the 2014/15 biennium.

While the MTSP should provide a realistic, stable overall strategic framework for the period 2010-2015, it is not intended to be a strait-jacket. Member States may decide to conduct a mid-term review to ensure that the MTSP remains relevant and continues to provide appropriate strategic guidance. The mid-term review, which may be conducted in 2012, or at a time judged appropriate by the Member States, would focus on assessing changes in the external environment affecting the priority setting of the Organization to ensure the continued relevance of the targeted strategic outcomes and defined strategies. Member States may also request periodic reports from the Secretariat on progress towards implementation of the outcomes.

Our capacity as an Organization to address the challenges and to embrace the opportunities presented by the trends and developments in the external environment will determine the relevance and the future of WIPO. I place the greatest importance, therefore, on this opportunity to strengthen dialogue with Member States at the strategic level, and on the work we have done together to develop shared strategies and targets in pursuit of our Strategic Goals.

THE NEW STRATEGIC FRAMEWORK

Strategic Goal VIII
A Responsive Communications Interface between WIPO, its Member States and all Stakeholders

<u>Strategic Goal I</u>	<u>Strategic Goal II</u>	<u>Strategic Goal III</u>	<u>Strategic Goal IV</u>	<u>Strategic Goal V</u>	<u>Strategic Goal VI</u>	<u>Strategic Goal VII</u>
Balanced Evolution of the International Normative Framework for IP	Provision of Premier Global IP Services	Facilitating the Use of IP for Development	Coordination and Development of Global IP Infrastructure	World Reference Source for IP Information and Analysis	International Cooperation on Building Respect for IP	Addressing IP in Relation to Global Policy Issues

Strategic Goal IX
An Efficient Administrative and Financial Support Structure to Enable WIPO to Deliver its Programs

The new strategic framework was adopted by Member States in the Revised Program and Budget for 2009. It remains unchanged in the approved Program and Budget for the 2010-2011 biennium. The nine Strategic Goals, therefore, provide the approved strategic framework for the MTSP.

Strategic Goals I to VII deal with the substantive business of the Organization.

Strategic Goals VIII and IX are the enabling goals, aimed at providing sound management and governance and effective two way communications to support the achievement of the substantive goals and ensure accountability to Member States.

The 45 recommendations of the WIPO Development Agenda are incorporated in WIPO's work conducted under all nine Strategic Goals. This is reflected in the narrative throughout the MTSP, and charted in the table below.

WIPO Strategic Goals with Development Agenda Linkages²:

Goal VIII
A responsive Communications Interface between WIPO, its Member States and all Stakeholders
DA Recommendations
2, 3, 5, 14, 30, 40, 42, 43

<u>Goal I</u>	<u>Goal II</u>	<u>Goal III</u>	<u>Goal IV</u>	<u>Goal V</u>	<u>Goal VI</u>	<u>Goal VII</u>
Balanced Evolution of the international Normative Framework for IP	Provision of Premier Global IP Services	Facilitating the Use of IP for Development	Coordination and Development of Global IP Infrastructure	World Reference Source for IP Information and Analysis	International Cooperation on Building Respect for IP	Addressing IP in Relation to Global Policy Issues
<u>DA recommendations</u>	<u>DA recommendations</u>	<u>DA recommendations</u>	<u>DA recommendations</u>	<u>DA recommendations</u>	<u>DA recommendations</u>	<u>DA recommendations</u>
1, 4, 6, 7, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 36, 40, 42, 44, 45	1, 6, 10, 31	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45	1, 6, 8, 10, 11, 12, 19, 20, 24, 25, 27, 28, 30, 31, 40	1, 6, 34, 35, 36, 37, 38, 39	1, 6, 13, 42, 45	2, 5, 6, 7, 19, 23, 24, 26, 27, 29, 36, 39, 41

Goal IX
An Efficient Administrative and Financial Support Structure to Enable WIPO to Deliver its Programs
DA Recommendations
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45

² This illustrative chart is based on the approved 2010/11 Program and Budget document, specifically on the “Development Agenda Links” section under each Program within the nine Strategic Goals.

STRATEGIC GOAL I

Balanced Evolution of the International Normative Framework for Intellectual Property

Strategic Outcome	Outcome Indicators
<p>Full engagement of Member States to reach agreements on legislative and practical measures in areas of common interest to adjust the existing international IP framework</p>	<p>1. Agreements reached by Member States within each major area of the international normative IP framework</p>

STRATEGIC GOAL I Balanced Evolution of the International Normative Framework for Intellectual Property

This Strategic Goal aims to ensure that the development of international IP law keeps pace with the rapidly evolving global technological, geo-economic, social and cultural environment, while taking into account implementation of the recommendations of the Development Agenda on norm-setting. A balanced evolution is critical to ensuring that the international intellectual property system continues to serve its fundamental purpose of encouraging innovation and creativity; that it takes into account the needs and interests of countries at different stages of development, including through the flexibilities within international IP agreements; and that it strikes the right balance between (i) the rights of creators and IP owners and the rights of users and the public; and (ii) the encouragement of innovation and creativity and the diffusion of the social benefit of innovation and creative works.

CHALLENGES AND OPPORTUNITIES

Intellectual property (IP) is covered by a complex web of national, bilateral, plurilateral, regional and multilateral agreements. In today's digitally driven and globalized world, however, the subject matter addressed by IP – new technologies, novel designs, brands and creative works – is no longer bound by territorial borders. Frequently, any attention that needs to be given to the subject matter requires an international approach in order to be effective (this, for example, is almost inevitably the case for matters relating to behavior on the Internet). WIPO, the custodian of 24 multilateral treaties and four major global service systems, has the ongoing challenge of promoting balanced multilateral solutions to ensure that the international normative architecture remains relevant, that it serves its purpose of encouraging innovation and creativity worldwide; and that it facilitates participation by all countries in the benefits of technological and cultural advances.

The past decade has been marked by a lack of progress in the normative work of the Organization, with Member States unable to reach agreement in several areas. The lack of progress in norm-making contrasts sharply with the rapid pace of technological change, which, in many instances, directly impacts the environment in which IP operates. There is a need to achieve balanced outcomes in multilateral negotiations in WIPO, otherwise these multilateral processes risk being undermined. Failure on the part of the Organization to provide the forum for giving attention to needed adjustments and changes entails a number of risks. The role of the Organization in economic rule-making will wither. Multilateral approaches may be replaced by bilateral or plurilateral processes in other fora; and solutions may be developed by default by the market or by technology, rather than by public policy under the influence of governments.

Addressing this challenge requires the Secretariat to provide an impartial and professional environment – ensuring Committee agendas are comprehensively and fairly covered as far as possible – which facilitates the decision-making of Member States, in order to arrive at multilateral solutions and enable balanced rules to be set across the full spectrum of technological development, from the latest advances in digital technology to traditional knowledge systems. The opportunity now exists to build confidence among Member States by improving mutual understanding of normative questions, thus preparing the ground for future advances in normative discussions.

The dynamic global economic and social environment requires that the evolving international IP system in all areas carefully balance the interests of all stakeholders, including countries at different stages of development, rights holders, and the public.

Against this background, some of the **specific challenges and opportunities** facing the Organization in the medium term in the main areas of normative activity (patents, copyright, trademarks, geographical indications, industrial designs and traditional knowledge) may be summarized as follows:

- **Patents.** New technologies in the life sciences, synthetic biology, nanotechnology, materials science, environmental science and energy, and other fields are being developed and deployed at a rapid pace. There is a pressing need to keep pace with these developments to understand what, if any, actions may be needed in the international arena to address the developments. There is also a need to ensure that countries at different levels of development, while respecting their international obligations, adopt patent law and policies that are appropriate to their development needs, and are able to make informed policy choices regarding use of the flexibilities available under international agreements.
- **Copyright.** Digital technology and the Internet mean that creative content – and new forms of cultural expression – are available to an unprecedented extent on a global basis, while copyright law remains territorially based. The global availability of creative content presents both opportunities and challenges to the institution of copyright. Technological and market-driven changes have resulted in severe stress on the current system, and have brought about new questions on how to promote, protect and reward creativity, while ensuring access to protected works and works in the public domain.
- **Distinctive Signs.** The traditional approach to the creation, use and legal protection of trademarks, industrial designs and geographical indications (including unfair competition) is undergoing fundamental change. Investment in the development and maintenance of brands – as the vectors that tie intangible reputation and goodwill to tangible products and services – is becoming a key aspect of IP policy.
- **Designs.** The variety of legal and administrative approaches to the protection of industrial designs that exists in Member States constitutes a major challenge for coherence in a world in which economic behavior is increasingly global.
- **Traditional Knowledge, Traditional Cultural Expressions and Genetic Resources.** The consensual adoption of the mandate of the Intergovernmental Committee (IGC) for 2010/11 presents a historic opportunity for the global community to achieve explicit international recognition of, and respect for, traditional knowledge (TK) and traditional cultural expressions (TCEs) as IP, and for developing an appropriate means of dealing with the interface between IP and genetic resources (GR). The balanced protection of TK, TCEs and IP in relation to GRs would represent a significant normative shift in IP and recognize the universality of the IP system. The first milestone challenge under the new mandate, will be for the IGC to agree and to submit the texts of an international legal instrument (or instruments) to the WIPO General Assembly for the Assembly to decide on the convening of a Diplomatic Conference.

STRATEGIES

The following strategies will be pursued in the medium term:

- (i) The creation of opportunities to improve communication and understanding of issues and the provision of an environment conducive to cooperation and negotiation among Member States.
- (ii) The identification of areas of common interest to all Member States which are potentially sufficiently mature and appropriate for multilateral negotiation.

Patents

Strategies will include:

- (iii) In the *Standing Committee on the Law of Patents (SCP)*:
 - continuing to support Member States through balanced studies on current and emerging patent-related issues, providing informed analysis of policy options and a trusted forum for debate;
 - strengthening efforts to deepen understanding of the role of, and the principles underpinning, the patent system, including the use of flexibilities provided for in the system, and the challenges it faces.

Copyright and related rights

Strategies will include:

- (iv) In the *Standing Committee on Copyright and Related Rights (SCCR)*:
 - continuing to support the work of Member States on copyright limitations and exceptions, with a particular focus on improving access for visually impaired and other persons with print disabilities, while accelerating work with respect to access for persons with other disabilities, educational institutions, libraries and archives;
 - continuing to support the work of Member States on the protection of audiovisual performances and on the protection of broadcasting organizations;
 - exploring the scope for discussion of new issues with important global consequences, such as orphan works or the need for increased cooperation between copyright owners and Internet intermediaries in the making available of legitimate creative content, and encouraging consideration of self-regulatory, as well as formal solutions.
- (v) *Stakeholder Platforms*. WIPO will continue to support the development of the Stakeholders' Platform for visually impaired persons, and to enable this parallel work to feed into the deliberations of the SCCR. The scope for additional *ad hoc* stakeholder platforms will be explored – based on the voluntary participation of interested stakeholders from the public and private sector in all countries – as a means of developing practical solutions to specific problems involving the creation of, access to, and use of digital content.

- (vi) *Global Reflection.* A high-level global reflection process will be initiated on the future of copyright and the financing of culture in the digital environment, the scope and impact of which can not be addressed in a timely and adequate manner by way of negotiation in a routine standing committee format. The process would include multi-stakeholder input and fact-finding to examine the challenges and opportunities presented by the legal, market and technological conditions prevailing in developed and developing countries.

Brands and designs

Strategies will include:

- (vii) In the *Standing Committee on the Law of Trademarks, Industrial Designs and Geographical Indications* (SCT):
- supporting wide Member State participation in the SCT as the main vehicle for the development of brand-relevant IP rights. Maintaining a flexible approach to the format of potential outcomes of SCT work in different areas, ranging from use of soft law instruments to international treaties;
 - exploring the opportunity to advance work on the convergence of industrial design registration procedures in the form of an international design law treaty comparable to the Singapore Treaty (trademarks);
 - exploring the scope for work on the protection of trademarks on the Internet;
 - building capacity in the area of geographical indications, and encouraging multilateral cooperation including through exchanging experience and sharing of information on geographical indications;
 - use of the existing institutional framework to produce outcomes if feasible and appropriate, such as the Singapore Treaty Assembly for amendments of the Regulations under the Singapore Treaty, and the Paris Union Assemblies for specific recommendations;
 - supplementing work within the established institutional framework by regular thematic meetings, providing an informal forum for Member States and interested parties to explore topics where new multilateral normative development could be appropriate, including unfair competition. Such topical issues would be addressed in an open and informal manner, such as through symposia or other forms of conferences, enabling the representatives of governments and stakeholder groups to engage in an informal and non-prejudicial exchange of views, some of which may, if appropriate, lead to the initiation of more formal norm developing work in specific areas;
 - preserving a strong public domain and avoiding misappropriation of signs.

Traditional Knowledge, Traditional Cultural Expressions/Folklore and Genetic Resources

Strategies will include:

- (viii) *In the IGC:*
- facilitating the preparation and conduct of international negotiations towards reaching consensus on the text of an international legal instrument or instruments;

- supporting work on practical mechanisms to contribute towards the protection of TK, TCEs and IP in relation to GRs and/or their appropriate use;
 - seeking to clarify the contribution of IP to the conservation, sustainable use and equitable benefit-sharing in GRs, as components of biodiversity, and of the role of IP in the fair and appropriate use of GRs for economic and technological development.
- (ix) *Capacity Building.* Upon request, WIPO will provide tailored, specialized capacity building, training, and technical support to a wide range of community, national and regional initiatives and projects, including for the effective implementation in national and regional legal systems of international instruments that may be adopted.
- (x) *International Cooperation.* WIPO will also cooperate with other relevant multilateral fora and international organizations, in order to clarify the specific contribution of IP expertise and WIPO's activities to broader international moves towards the enhanced preservation, promotion and protection of TK, TCEs and IP in relation to GRs.

STRATEGIC GOAL II

Provision of Premier Global IP Services

Strategic Outcome	Outcome Indicators
<p>A comprehensive range of WIPO global IP products and services which are the first choice for users</p>	<p>1. Increased and effective use of WIPO's global products and services in Member States including developing and least developed countries</p>
	<p>2. Enhanced demand for WIPO's global services and products contributing to the financial sustainability of the Organization</p>
	<p>3. Higher satisfaction among users of WIPO's global IP products and services</p>

STRATEGIC GOAL II Provision of Premier Global IP Services

This Strategic Goal addresses the core services of WIPO, which are also the income-generating businesses of the Organization. The aim is to make WIPO's global systems and alternative dispute resolution services the systems of first choice for users through attractive, cost-effective services which provide added value for users.

CHALLENGES AND OPPORTUNITIES

The global intellectual property systems that WIPO provides form the basis of the financial stability and growth of the Organization. Together these services – particularly the Patent Cooperation Treaty (PCT), the Madrid System for the International Registration of Marks (the Madrid System), the Hague System for the International Registration of Industrial Designs (the Hague System), and the WIPO Arbitration and Mediation Center – generate some 93 percent of the Organization's revenue.

Each of these services has the advantage of being voluntary. But that advantage also places them in a competitive market, where users have a choice of possibilities for achieving the objective of the service. In order to maintain the services provided by WIPO as the systems of choice in their respective domains and, thereby, to expand the revenue basis of the Organization, it will be necessary in the medium term to ensure that the services meet the challenges of the changing circumstances with which they are confronted. These challenges include the increasing demand for international protection; the changing geographical composition of demand, necessitating different language skills within the Secretariat and enhanced use of technology in translation services; the transition to an electronic environment for the movement of data around the systems; and the need for assistance to developing countries in participating in that electronic environment.

An additional challenge has been posed by the global financial crisis and the consequent fall in filing rates under the PCT and the Madrid System in 2009 for the first time in WIPO's history. This has had a significant fiscal impact, particularly in light of the considerable resources necessary to perform the functions of the International Bureau, most of which are fixed costs.

The increasingly technological basis of production and the greater use of technology in every day life, which have fuelled the increase in demand for IP titles, have also increased the likelihood of disputes over IP. Increased internationalization of trade and commerce has given more and more of these disputes an international character. Demand for the alternative dispute resolution services and tools provided by the WIPO Arbitration and Mediation Center continues to rise accordingly. Evidence of increasing difficulties in national arrangements for collective management organizations in some Member States, as well as disputes in other areas of the copyright system, also presents opportunities for WIPO's assistance at the request of Member States.

Key challenges and opportunities in the medium term for the different global services provided by WIPO include the following:

PCT (Patents)

- (i) The variable quality and timeliness of international searches, despite their significant cost, threatens to erode goodwill with PCT customers. The lack of consistent quality and timeliness results, in large part, from the mounting pressure faced by patent offices in discharging their workloads in the face of rising demand.
- (ii) The geography of demand in the PCT system continues to change at a very rapid speed. International applications from Japan, the Republic of Korea and China have, in particular, increased substantially as a component of overall PCT applications, amounting to over 29 percent of such applications in 2009.
- (iii) In consequence of the changing geography of demand, prior art is increasingly linguistically diverse. This diversity has many consequences. It makes it increasingly improbable that any one office of the world is capable of searching and examining the complete record of prior art. It also makes it more difficult for enterprises and institutions to determine freedom to operate and to avoid unintentional infringement of rights. Finally, it has important consequences for the composition of the workforce in the International Bureau and the systems and tools used by the International Bureau.
- (iv) Information Technology (IT) offers the opportunity to deliver added value for users, which will increase the attractiveness of the PCT. Examples of such added value include secure file access, which should also have benefits for processing productivity (through electronic interaction between the International Bureau and the user) and machine translation tools.
- (v) Approximately 93 percent of PCT applications originate in only five jurisdictions, and participation in the PCT as users by the majority of developing countries and least developed countries is at a very low level. Efforts are needed to enhance the stake and ownership of developing countries in the PCT system by facilitating domestic innovation promotion and technological progress.
- (vi) There is a need to augment the capacities of national Offices in developing countries through technical assistance.
- (vii) The PCT system should contribute to sufficient disclosure of knowledge that would enable the transfer and dissemination of technology to all Member States.

Madrid System (Marks)

- (viii) The geographical coverage of the Madrid System is still limited (85 Contracting Parties) and large areas of the world remain outside the System. In addition, there is still scope for increasing the use of the System within those countries that are already participating in the System. There is, thus, a big opportunity for growth. An international system with comprehensive coverage and high rates of use would contribute greatly to orderly global markets.
- (ix) The participation of developing and least developed countries and emerging economies is relatively low. Branding offers an under-utilized tool for expanding markets for the products of these countries.
- (x) The dual treaty structure of the Madrid System (Madrid Agreement and Madrid Protocol) is overly complex and complicates its practical operation and its attractiveness to users.

The opportunity exists for simplification, which would be likely to increase the use of the System.

- (xi) There is considerable scope for streamlining and re-engineering the business processes and operations of the International Bureau in this area in order to introduce greater efficiencies and to increase productivity. A number of recurring operations of the service have yet to be automated. Use of electronic communications with users and Offices is uneven. In addition, IT offers a number of tools that need to be deployed in the form of terminology databases, translation memories, workflow management systems and machine assisted translation.
- (xii) Greater emphasis needs to be placed on customer service, particularly customer service that reflects that changing needs and patterns of use of branding. A more responsive customer service will increase the attractiveness of the System to users.

The Hague System (Industrial Designs)

- (xiii) Like the Madrid System, only to a more significant extent, the Hague System fails to enjoy global membership (56 Contracting Parties). The Geneva Act of 1999 was introduced to remedy this failing by incorporating a number of features that would accommodate the national procedures of a wider range of Contracting Parties. The Geneva Act is now starting to gather momentum and every effort must be made to capitalize on this momentum and expand the System into a truly global system.
- (xiv) As the geographic scope of the Hague System broadens, a number of the features of the Geneva Act that were introduced to accommodate divergent national practices will be implemented for the first time. The international procedure will consequently become more complex, which risks detracting from its attractiveness to users.
- (xv) If the aim of increasing the use of the System is successfully accomplished, the human resources deployed in the administration of the System will need to be correspondingly built up in a manner that is responsive to the characteristics of the user base.
- (xvi) As the System grows, so the sophistication of the IT support services will need to increase in order to achieve appropriate levels of productivity. In particular, the user interface of the system and the availability of e-business tools will need to be extended.

The Lisbon System (Appellations of Origin)

- (xvii) The Lisbon Agreement is now over 50 years of age and enjoys a membership of less than 30 Contracting Parties. The difficulty of the task of transforming the Lisbon System into a system that enjoys wide international participation should not be under-estimated, as the negotiations in the World Trade organization (WTO) on the establishment of a multilateral notification and registration system for GIs show. Nevertheless, the mandate from the Lisbon Union Assembly to the Working Group on the Development of the Lisbon System provides an opportunity to identify ways to improve the System so as to make it more attractive for States and users.
- (xviii) An IT strategy needs to be deployed in the medium term to ensure that current investments are leveraged in the creation of a fully electronic registration and notification procedure.

WIPO Arbitration and Mediation Center (Alternative Dispute Resolution)

- (xix) Disputes can immobilize IP assets, with resultant loss of productivity and social enjoyment of innovation. Disputes create uncertainty for business and the possibility of disruptive and costly litigation. In a world in which transactions for the generation and use of IP are increasingly international in character, an opportunity exists to expand the use of the services of the WIPO Arbitration and Mediation Center as neutral, cost-effective alternatives to litigation.
- (xx) Considerable change is occurring in innovation models, with open innovation – the tendency for firms to look outside themselves to satisfy their innovation needs – becoming more popular. A feature of open innovation is the contractual engagement of multiple participants in relation to common knowledge—generation and knowledge-sharing projects. Since, again, many of these projects are international in character, the opportunity for the increased use of neutral, international dispute resolution services is substantial.
- (xxi) The WIPO Arbitration and Mediation Center operates in a market with multiple competitors, even though it remains the only international center dedicated to IP. Survival in that market will depend upon the efficient, high quality and knowledgeable provision of services.
- (xxii) The Domain Name System is set to undergo considerable change, including broad expansion of the number of generic top level Domains (gTLDs) and the introduction of internationalized (non-Latin script) gTLDs and domain names. The impact of these changes on both IP and the Uniform Dispute Resolution Procedure (UDRP) is uncertain. The WIPO Arbitration and Mediation Center needs to continue to play a proactive role in proposing procedures and solutions to the Internet Corporation for Assigned Names and Numbers (ICANN) to reduce any adverse impact of the changes on IP or on the effectiveness of the UDRP as an instrument for combating cyber squatting.

STRATEGIES

While the strategies for each of the Services differ, they have in common four principal aims:

- to expand the service so that its coverage is global and, to this end, to enhance market research, awareness, simplification of procedures and the addition of value;
- to ensure adequate investment in the renewal and expansion of the use of the services;
- to increase the participation of developing, least developed and transition countries in the Services and in the benefits that they offer; and
- to establish clear IT strategies based on the differing stages of development of the IT infrastructure and services in each area.

Specific strategies for each service are detailed below.

PCT - Strategies

- (i) Studying PCT users, non-users and potential users, seeking to understand better their behavior and the factors which influence PCT use.

Medium Term Strategic Plan 2010–15: (August 2010)

- (ii) Examining existing PCT fee structures and pricing models with the goal of making the PCT system more accessible to applicants, and in particular to SMEs, universities and research institutions, and to those in developing and least developed countries.
- (iii) Studying the internal efficiency and cost-effectiveness of processing international applications at the International Bureau, with the aim of reducing the processing and associated costs.
- (iv) As part of efforts to address the significant challenge faced by national patent offices in dealing with the backlog of patent applications, strongly encouraging the International Searching and Preliminary Examining Authorities to improve the quality of their work products and the timeliness of their delivery; and supporting investigations of PCT collaborative search and examination.
- (v) Studying current PCT training, awareness building and outreach efforts in order to maximize effectiveness and to ensure they are meeting the needs and expectations of PCT users.
- (vi) Augmenting the capacities of national Offices in developing and least developed countries through technical assistance and in accordance with the recommendations of the Development Agenda.
- (vii) Continuing to develop and deploy technologies which will make the PCT more useful and efficient and its delivery mechanisms more effective.
- (viii) Increasing both the quality and quantity of PCT and PCT-related information available to the public, including adequate disclosure of technical knowledge in a user-friendly manner and in accordance with national conditions.

Madrid System - Strategies

- (ix) Identifying factors hindering accessions to the Madrid Protocol. Engaging more actively with non-Madrid Member States in identifying and addressing their specific concerns. Developing tailored strategies to enlarge the geographical coverage, and outreach programs to communicate more effectively the potential impact of accession to the Madrid Protocol in specific national contexts.
- (x) Working with the Contracting Parties to determine if the necessary IP policies and legal provisions are in place to fully implement the System, and assisting these Parties in developing and applying the necessary measures to achieve this objective.
- (xi) Encouraging Contracting Parties to examine the benefits of simplifying the System by moving to an environment based solely on the Madrid Protocol. Supporting the three Member States which are members of the Madrid Agreement, but not the Protocol, in acceding to the Protocol.
- (xii) Engaging in an ongoing assessment of operations to deliver a more streamlined and efficient service.
- (xiii) Fostering an organizational culture oriented towards quality service delivery, and monitoring user satisfaction
- (xiv) Completing the IT Modernizations Phases I, II, and III, including the establishment of an external strategic partnership for the execution of Phase III, able to assume responsibility for the ongoing support of the resultant system.

The Hague System - Strategies

- (xv) Conducting regular analysis of the statistics on use of The Hague System compared to national/regional systems in order to inform promotional activities to win back former users and attract new right holders.
- (xvi) Focusing on prospective Contracting Parties whose accession to the Geneva Act would be likely to stimulate greater use of the System or further accessions.
- (xvii) Simplifying The Hague System and making it more attractive to first-time users and prospective members by:
 - encouraging the remaining members which are party to the Hague Act (1960) but not the Geneva Act (1999) to accede to the Geneva Act by 2015;
 - facilitating the extinction of the London Act (1934);
 - further developing the legal framework in order to ensure that the Common Regulations and Administrative Instructions remain in step with users needs.
- (xviii) Continuing to develop an e-filing system for international applications and extend the offering of online services.

The Lisbon System - Strategies

- (xix) Using the surveys and studies undertaken by the Working Group on the Development of the Lisbon System to determine the issues to be solved and the time-frame for further steps.
- (xx) Creating an Electronic International Register. Rolling out electronic communication with competent authorities of all interested Lisbon Member States.

WIPO Arbitration and Mediation Center - Strategies

- (xxi) Enhance awareness of IP Alternative Dispute Resolution options.
- (xxii) Increase market research into the needs of users of dispute resolution services and understanding of the factors that influence the decision to use ADR.
- (xxiii) Increase the attractiveness of dispute resolution services offered by the WIPO Arbitration and Mediation Center by:
 - adapting the Center's procedures and case infrastructure to the evolving needs of users, including through IT-based business solutions;
 - working with IP owners, users and institutions to establish tailored procedures specifically adapted to the particular features of recurrent disputes in their areas of activity.
- (xxiv) Engage with areas of IP policy where there is likely to be a high volume of international IP transactions and a need for neutral, efficient and cost-effective dispute resolution services, such as transfer of technology agreements in relation to environmentally friendly

technologies. The availability of neutral, affordable procedures for the resolution of disputes between stakeholders could contribute to the successful functioning of mechanisms designed to promote green technology transfer.

A Survey on Dispute Resolution in International Technology Transactions, conducted by the Center, will be of practical assistance in improving understanding of user needs, with a view to increasing the effectiveness of the services offered by the Center.

STRATEGIC GOAL III

Facilitating the Use of IP for Development

Strategic Outcome	Outcome Indicators
Greater use of IP for development	1. A strong focus on development throughout the Organization, with effective mainstreaming of the Development Agenda principles and recommendations in the work of all relevant Programs.
	2. Increased number of developing countries, LDCs and transition economies with balanced policy/legislative frameworks
	3. Increased number of developing countries, LDCs and transition economies with strong and responsive IP and IP-related institutions
	4. A critical mass of human resources with relevant skills in an increased number of developing countries, LDCs and transition economies

STRATEGIC GOAL III Facilitating the Use of IP for Development

The goal of facilitating the use of IP for social, cultural and economic development drives WIPO's multiple technical assistance and capacity building activities, which are delivered through programs in every sector of the Organization. Covering all these activities, the medium term focus of this cross-cutting Strategic Goal is to assist developing countries, least developed countries (LDCs) and transition economies to make effective use of the IP system in the context of their economic circumstances and in promotion of their national development goals.

The WIPO Development Agenda plays a central role in ensuring that all areas of WIPO's activities contribute to this Strategic Goal.

CHALLENGES AND OPPORTUNITIES

An overall objective for WIPO is to empower developing countries, LDCs and countries in transition to use the IP system in an informed and effective way, thereby ensuring that it contributes meaningfully to their economic, social and cultural development.

In order to achieve this objective, a number of challenges need to be addressed, notably:

IP policy coherence. IP is a cross-cutting issue, which impacts on areas as diverse as innovation promotion, market regulation, the production, performance and distribution of cultural works and, in turn, on trade, health, the environment, food security and access to knowledge. IP policy, therefore, has to be either linked with related policies or built into larger national policy issues, such as industrial and innovation policies. A major challenge is how best to help developing countries, LDCs and countries in transition to achieve coherence between their IP and related policy issues, or to situate IP policy in the context of their broader national priorities. Central to this is the development and implementation of IP policies that encourage both innovation and diffusion of technological advances, and ensure affordable and equitable access to IP protected knowledge and to the products, processes and services in which such knowledge is embedded.

Appropriate legislative and regulatory frameworks. An ongoing challenge is to support the efforts of governments to establish a secure and balanced national legal environment, which protects the rights of IP owners and provides incentives to inventors and creators, while facilitating access to knowledge and safeguarding other public policy priorities. In addition to rights and obligations, this includes the formulation and incorporation into national legislation of flexibilities to accommodate public policy concerns. The challenge is to design development-oriented IP laws and regulations, taking into account specific national requirements.

Technical infrastructure. While some progress has been made in building the capacity and efficiency of many national and regional IP institutions responsible for the granting and administering of IP rights, much further work remains to be done in developing the technical infrastructure of these institutions, thereby contributing to their productivity and their capacity to benefit from global public assets and knowledge networks. Such infrastructure will also enable IP Offices to develop additional services that support local industry and tertiary institutions.

Human capital. The requirements for training and capacity building programs in the area of IP are particularly complex due to the multiple elements involved in the protection and commercialization of intangibles. A broad range of human capital is required for the effective use of IP, including legal practitioners, trained examiners, administrators of IP services, and experts who can advise

on leveraging the system to enhance innovation and improve business competitiveness. A further challenge of developing human resources is the need for interdisciplinary expertise, able to address issues at the intersection of law, economics, business and technology. The objective is to help develop a critical mass of trained human resources with the knowledge and skills to deal with the totality of the above requirements.

Economies in transition. The goal of facilitating the use of IP for development applies to diverse countries with widely differing levels of development and different levels of IP infrastructure. Many countries with economies in transition, for example, have recorded significant progress in their ability to utilize IP to help accelerate their economic, social and cultural development. In respect of these countries, the challenge for WIPO is to provide more specialized assistance to meet their particular needs, as well as to promote the exchange of experiences, lessons learned and best practices between such countries.

SMEs represent over 90 percent of enterprises in most countries worldwide, and contribute significantly to economic vitality. But the majority of entrepreneurs, micro-enterprises and SMEs make little or no use of the IP system. As a result, SMEs are becoming increasingly vulnerable in today's highly competitive, increasingly international and knowledge driven, IP-intensive environment. There is a need to reach out to SMEs in order to increase understanding of the potential of IP as a tool for extracting value from their creativity and inventiveness, and of the potential contribution of active IP asset management to the success of a business.

The *WIPO Development Agenda* represents a new, cross-cutting approach to addressing the development dimension of all WIPO's work. It provides a unique opportunity to reach beyond WIPO's traditional technical assistance programs and to ensure that the Development Agenda principles and recommendations are integrated into the work of the entire Organization. The principles and Recommendations of the Development Agenda apply not only to activities carried out under Strategic Goal III, but to activities carried out under all nine Strategic Goals of the Organization. This is reflected in the respective narratives throughout the Medium Term Strategic Plan. The summary table on page 9 charts the linkages between the Strategic Goals and the 45 Recommendations of the Development Agenda.

Within the medium term, WIPO has the challenge of translating the Development Agenda aspirations into reality. This includes ensuring that the human and financial resources dedicated to the Development Agenda deliver value for the Member States, and that the results are evaluated and can demonstrate positive impact.

Mobilizing resources. As overall demand increases for the services WIPO provides to support developing countries use the IP system, so does the need for partners and resources to help ensure those needs are met in a way which maximizes their development impact. WIPO's external relations and partnership building activities (Strategic Goal VII) are key elements in supporting developing countries in the use of the IP system and in mobilizing and providing access to resources for IP projects in developing countries. This is not to replace the central role of WIPO's regular budget funding for these activities, but rather to accelerate this work, to increase WIPO's capacity to respond to Member State needs, and to improve the effectiveness of WIPO's technical assistance and capacity building work. The key challenge in this regard is to build on the momentum achieved by the WIPO Conference on Building Partnerships for Mobilizing Resources for Development (November 2009), in particular by reaching out to the mainstream development agencies and charitable foundations to increase their awareness and readiness to support developing countries' IP projects for development.

STRATEGIES

In addressing the above challenges, WIPO's strategic approach in the medium term will be guided by the following key elements:

- (i) *Development Agenda*. The implementation strategy for the Development Agenda will continue to be twofold:
 - to adopt a project-based approach where appropriate; and
 - to mainstream the principles of the Development Agenda Recommendations into the work of all Sectors of the Organization through the Program and Budget and work planning processes.

The cross-cutting nature of the Development Agenda requires effective coordination, both internally and externally. The MTSP, Program and Budget, and Program Performance Reports provide one element of that coordinating framework, but which requires further strengthening for the purpose of accountability and improved decision-making based on empirical information.

As a priority strategy in the medium term, WIPO will also develop tools to enable the Committee on Development and Intellectual Property (CDIP) to fulfill its responsibility for ensuring that the Development Agenda is effectively implemented. These tools will include an effective evaluation and reporting function (both self-evaluation and independent evaluation), a results-based management approach which fully embraces the development perspective, and a strengthened capacity to conduct country level impact assessment studies which enable the Secretariat and Member States to understand better the impact of the Organization's activities on development. This latter requirement is closely linked to the work on economic studies on IP and development within Strategic Goal V (World Reference Source for IP Information and Analysis).

- (ii) *Assistance in integrating IP policies in national development plans and national innovation strategies*. At the request of individual Member States, WIPO will assist in developing a country-led National IP and Innovation Strategy, based on the needs of the individual Member State. This consists of a cross-disciplinary package of policy elements and recommendations to boost innovation and creative performance, which would provide a framework for strengthening the linkage of IP policies with other components of innovation and creativity policies, including education, investment and trade policies, cultural development and science and technology policies. At the same time, each country's National Development Plan would be used to provide a framework within which to determine how IP could contribute most directly to a country's development process. WIPO will also develop and make available on request methodologies to enable systematic needs assessments and gap analyses for National Innovation Strategies to be carried out.
- (iii) *Assistance in establishing a development-oriented regulatory framework*, i.e., legislation which provides for the basic legal framework that defines rights and obligations of the IP owners, as well as provisions to achieve balance between incentives and rewards for innovators and access to new knowledge by users, such as through the full use of flexibilities and nationally appropriate effective enforcement mechanisms. This assistance will be demand-driven, country-specific and delivered with appropriate expertise. If requested by countries, assistance in accession to international treaties that will facilitate participation in global processes and entry to international markets, such as through the PCT and the Madrid and Hague Systems and the internet copyright treaties, will be extended. Such assistance will include advice on the consequences for a particular country of acceding to a specific multilateral system in view of its development interests and priorities.

- (iv) *Developing institutional and technical infrastructure.* IP offices will be assisted in implementing their plans to evolve into more development-linked and service-oriented authorities, able to help spur domestic innovative activity and eventually entrepreneurial and economic progress. Assistance will also be provided in setting up Technology and Innovation Support Centers and start-up IP academies, either within or outside the IP offices, in strengthening technology transfer offices in R&D institutions and universities, in introducing public programs dedicated to the use of IP systems, and in promoting public-private partnerships that stimulate the transfer of and access to technology.
- (v) *Capacity building.* WIPO will continue to provide assistance to improve the capacities of institutions to deliver IP services, be it through automation and improved business processes, or building human resource capacity through educational and training programs for government officials, professionals and targeted user groups, based on the needs of individual Member States.
- The WIPO Academy will play a central role in delivering human resource training and capacity building, including through tailor-made programs and new approaches and methodologies, which will be evaluated to ensure that they deliver value for money. Regular programs for government officials, stakeholders, academics and other professionals will be complemented by a wide range of programs in expanding the outreach and elevating the content of capacity building. These will include the WIPO Summer Schools program addressing young professionals and graduates; the Global Network of IP Academies – a sharing and cooperation platform among IP academies from developed and developing countries; and the re-modeled Executive Program targeted at business executives and entrepreneurs from SMEs.
 - Start-up IP academies will also be used as vehicles for localizing training and educational initiatives.
 - Capacity building will also continue to be provided in support of SMEs. In addition to creating tailored information products on IP asset management for entrepreneurs, micro-enterprises and SMEs, WIPO will increase its efforts to support nationally-adapted and local language versions of these products. Focused efforts will be made to strengthen the capacity of SME support and financing institutions, within the framework of national IP policies, to provide “first stop” assistance in identifying, protecting, managing, and leveraging IP assets. Support will be provided through the SMEs website, distance learning programs and targeted training of trainers programs. Partnerships, networks and alliances will be created, and the scope of the ICT environment exploited more effectively in providing support for capacity building.
- (vi) *External Offices.* A review of the role and function of WIPO’s external offices will be conducted and recommendations developed in order to optimize the contribution of existing external offices to the achievement of the Strategic Goals of the Organization and to develop policy guidelines governing the establishment of any further external offices.

[Blank page]

STRATEGIC GOAL IV

Coordination and Development of Global IP Infrastructure

Strategic Outcome	Outcome Indicators
<p>A more efficient IP system characterized by effective access to and better use of IP information and knowledge</p>	<p>1. Increased efficiency of IP Office operations as indicated in reduced pendency times and reduced backlogs</p>
	<p>2. Increase in the number and diversity of users of information and knowledge generated by the IP system</p>
	<p>3. Additional platforms are created between IP Offices for enhanced voluntary, technical international cooperation</p>

STRATEGIC GOAL IV Coordination and Development of Global IP Infrastructure

Information and Communication Technology (ICT) has created opportunities for greater efficiencies in the international IP system, more effective access to the output of the system, and increased participation in the system by least developed, developing and transition countries. The aim of this Strategic Goal is to strengthen the infrastructure of least developed, developing and transition countries, to enhance international cooperation in infrastructure and data flows throughout the system, and to develop global IP databases and voluntary platforms for increased technical cooperation.

The coordination and development of global IP infrastructure also contributes to Strategic Goal III (Use of IP for Development), Strategic Goal II (Provision of Premier Global IP Services) and Strategic Goal V (World Reference Source for IP Information). It includes the implementation of a number of Development Agenda Recommendations.

CHALLENGES AND OPPORTUNITIES

Information and communication technology (ICT) has radically transformed the way in which the IP system functions. At a basic level, ICT has changed the processes through which users interact with IP Offices (e-filing, and electronic notifications and communications), as well as the internal procedures of IP Offices (electronic processing and dossiers). The introduction of ICT at this basic level has, in turn, created the possibility of greatly enhanced interaction between IP offices throughout the world and between those offices and WIPO. It has also given rise to a wide array of tools and assets that make the benefits of the IP system (including its record of technical and economic intelligence) accessible to a broad public. ICT has, in short, created the technical architecture of the IP system as an addition to the legal architecture of the system.

The transformation brought about by ICT presents a number of very significant opportunities:

- ICT opens the way for increased efficiency and productivity in IP offices, thereby freeing resources to concentrate on the delivery of additional services – such as advisory or search services to local industry, and support for technology transfer.
- Automation within IP offices enables platforms between offices to be created for those who wish to engage in voluntary arrangements, such as IP data exchange, voluntary copyright registration, the Digital Access Service of WIPO for priority documents, or the work-sharing or quality-enhancing arrangements planned or underway in Latin America, ASEAN and between the Vancouver Group of Australia, Canada and the United Kingdom;
- ICT infrastructure within IP offices also enables those offices to participate to a greater extent in digital global public assets and knowledge networks.

In order to take advantage of those opportunities, however, a number of obstacles need to be overcome. In least developed and many developing countries, basic elements of IP infrastructure are often missing and IP offices need assistance to put those elements in place. The lack of modernized systems, particularly a reliance on paper-based workflow, limits the ability of IP offices and collective management organizations in many developing countries to participate

actively in the international IP system, to benefit from its outputs, or to deliver world-class services to their local constituencies. This aggravates the knowledge gap.

Additionally, platforms reflecting agreed international cooperation require greater technical standardization in respect of data capture, data exchange and data publication such as the standards that are developed by WIPO; as well as common tools for accessing data, such as the classification systems maintained by WIPO for patents (International Patent Classification), trademarks (Nice and Vienna Classifications) and industrial designs (Locarno Classification).

The Development Agenda creates additional opportunities to accelerate work in pursuit of this goal through the development and implementation of concrete, high-impact projects, for example, in the areas of access to patent information, access to copyright information, bridging the digital divide and supporting a robust public domain.

Strategic Goal IV will support Strategic Goals I, II and III by focusing on developing the robust technical and knowledge infrastructure which is necessary to enable Member States (in particular IP Offices) to participate fully in the programs under these Goals.

STRATEGIES

The following strategies will be adopted in pursuing the implementation of this Strategic Goal:

- (i) Strengthening infrastructure at the national level in the least developed, developing and transition countries through the implementation, in a demand-driven manner, of digitization, automation and modernization programs. WIPO will offer a modular IT system that, at the option of the using office, will deal with the office's automation needs for internal processing, connection into international systems (notably, the PCT, the Madrid System, the Hague System, and potentially a copyright system) and reporting obligations, (notably statistics, laws and national-phase entry data). In addition, WIPO will continue its highly popular program of establishing, again on a demand-driven basis, Technology and Innovation Support Centers (TISCs) to enable least developed, developing and transition countries to have greater access to public scientific and technical data collections.
- (ii) Through the digitization, automation and modernization programs in least developed, developing and transition countries and through arrangements with other countries and stakeholders (such as publishers and other commercial providers), the content and coverage of WIPO's global databases will be progressively extended (also in support of Strategic Goal V).
- (iii) Further common tools and standards for data capture, data exchange and data publication will be developed and, in particular:
 - efforts will be made, in cooperation with other bodies, where appropriate, to strengthen and to establish truly international coverage for WIPO's classification systems in patents, trademarks and designs;
 - efforts will be deployed to have wider acceptance and use internationally of WIPO Standards;
 - customized search tools will be developed for facilitating access to WIPO's databases, especially for non-specialists;

Medium Term Strategic Plan 2010–15: (August 2010)

- services associated with global databases (such as patent landscape reports and patent legal status checks) will be enhanced to improve access to information and to support a robust public domain.
- (iv) Platforms, with voluntary participation, for increasing cooperation between IP Offices and for enhancing the efficiency of the IP system and the availability of its public benefit will be built on a demand-driven basis, and with inter-operability ensured through proposed standardized data formats and coherent approaches.
- (v) Information and experiences regarding the ICT strategies and solutions adopted by IP Offices and WIPO Secretariat will be shared at workshops to facilitate consultation and the development of global infrastructure.

STRATEGIC GOAL V

World Reference Source for IP Information and Analysis

Strategic Outcome	Outcome Indicators
<p>WIPO recognized as the source of IP-related economic and legal intelligence for policy-makers, users of the IP system and other stakeholders</p>	<p>1. Increased availability of accurate and up-to-date IP content in the fields of technology, brands, laws and treaties and economic statistics and analysis responsive to the needs of stakeholders</p>
	<p>2. Increased use of IP content for the more effective achievement of the underlying policy goals of intellectual property in the international context</p>

STRATEGIC GOAL V World Reference Source for IP Information and Analysis

WIPO is the generator and repository of outstanding collections of technology disclosures, brand data, and technical and legal IP information. These collections provide a window onto what is happening in important sectors of the economy and in the IP system. They are of immense value to policy-makers; industry, business and other users of the IP system; and the interested public. That value has also been recognized in the Development Agenda, where there is strong demand for the Organization to provide empirical economic analysis and studies.

The value of WIPO's data reference collections, however, depends upon the collections being accurate, up-to-date and responsive to the needs of stakeholders, as well as freely and universally accessible. WIPO is in a unique position to serve as a host and portal to the world's most comprehensive and valuable collections of IP information. Under this strategic goal, WIPO would strive to realize the potential of that unique position.

CHALLENGES AND OPPORTUNITIES

In the discharge of its functions, WIPO generates very significant collections of data. Generally, those data are generated in three ways:

- Considerable data are generated as a by-product of the services that the Organization provides through the PCT, the Madrid System, the Hague System, the Lisbon System, Article 6ter of the Paris Convention and the WIPO Arbitration and Mediation Center. In each of these instances, the constitution of a public record of the legal status of rights or of the technology disclosed is an essential part of the service.
- Data are also generated as a consequence of certain legal obligations assumed by Member States in various treaties, such as the transmission of statistics under the Paris Convention, national phase entry data under the PCT, laws under the TRIPS Agreement (in respect of which WIPO has a cooperative agreement with the WTO), or as a result of international legal transactions, such as the deposit of instruments of accession to treaties for which the Director General of WIPO is the depositary.
- Various cooperative arrangements between Member States or with interested parties in the enterprise sector are also the source of valuable data. This category includes the arrangements for international classifications for patents, trademarks and designs; the establishment of WIPO standards; the availability of data from national patent and trademark collections which WIPO assists in digitizing, commercial patent databases and databases of scientific and technical periodicals which are made available, in certain circumstances, by information vendors and publishers.

These data collections are of immense value as sources of economic and legal intelligence for policy-makers, for users of the IP system and for the interested public. Specifically, the data collections are of fundamental importance:

- *For policy-makers*, in providing an empirical basis for decision-making. Examples of this are knowing the patterns of patenting and of technology flows in and out of a

country, which is able to be known through the PCT and the PATENTSCOPE® service; knowing whether a particular technology, such as a pharmaceutical product, is under patent protection in any particular country, again available through the PATENTSCOPE® service; or knowing whether a particular legal provision, such as an exception, is found in national laws and, if so, which national laws – knowledge which will be available through WIPO Lex, WIPO's global database of laws and treaties.

- *For users*, as important tools to assist in obtaining IP protection or avoiding unintentionally infringing the rights of others. Examples of this function of the data collections are determining freedom to operate in a particular technological area; searching to determine whether a proposed brand is not already in use as a trademark of another person; classifying an invention or a design for the purpose of making an application, or, potentially, to ascertain the status of copyright protection.
- *For the interested public*, as important ways in which the social benefit of the IP system can be optimized. Examples of this function are the availability of the PATENTSCOPE® service as a means of determining freedom to operate in a particular technological space, or the identification of ownership of particular technologies or brands.

All of the foregoing functions and purposes of WIPO's data collections have become more important as IP itself has assumed more value and significance in the knowledge economy. At the same time, the functions and purposes have become more achievable as a consequence of improvements in information and communications technology. The purpose of this Strategic Goal is to realize the full potential of these data collections for policy-makers, users and the interested public. Each of the component data collections is developed under different strategic goals (for example, by the Global IP Services under Strategic Goal II and by Global IP Infrastructure under Strategic Goal IV). Under Goal V they are grouped as a coherent whole, with a common aspiration of excellence and comprehensiveness, in a way that will enhance the Organization's reputation as the source of global reference data for IP and enhance the quality of its offerings.

In pursuing this Strategic Goal, WIPO confronts a number of significant **challenges**:

- (i) As international data collections, the quality of WIPO's collections depends upon cooperation from its Member States. The transmission of statistical data or data concerning entry into the national phase under the PCT, for example, have long been both statutory obligations and activities of the Organization, but universal transmission has not been achieved because appropriate infrastructure and capacity is not always available in all countries. In this respect, activities conducted under Strategic Goal III (Facilitating the Use of IP for Development) and Strategic Goal IV (Coordination and Development of Global IP Infrastructure) should contribute greatly also to the advancement of the present Strategic Goal.
- (ii) Both the establishment of raw data collections and the provision of services and analyses on the basis of the data collections are recent activities of the Organization. The human capital of the Organization needs to be strengthened further. The recent appointments of a Chief Economist and a Chief Information Officer have assisted in this regard, but additional skill sets and resources need to be built under each of these positions in order to achieve this Strategic Goal.
- (iii) Both the development and the maintenance of important data collections are resource-intensive. The financial sustainability of the collections is a challenge. In the medium term, consideration needs to be given to the possibility of leveraging revenue producing services on the basis of the data collections in order to make them sustainable. Naturally, any such services would need to preserve the character of the data collections as free global assets, or else the purpose of this Strategic Goal would be defeated. But possibilities exist that need to be considered. The possibility of advertising, which has been used for decades in WIPO's publications, will be studied, with the proviso that any

proposed advertising model must not compromise the impartiality of WIPO, nor interfere with the character of the collections as free global assets.

STRATEGIES

The following strategies will be helpful to fully realizing WIPO's potential under this strategic goal:

- (i) The creation of a single, user-friendly portal on WIPO's website as the access point to WIPO's various data collections. These include PATENTSCOPE®, a data collection of technological disclosures under the patent system, as well as scientific and technical journals; the database of international registrations of marks under the Madrid System; the database of international registrations of designs under the Hague System; the database of international registrations of appellations of origin under the Lisbon System; WIPO standards; the International Patent Classification, the Nice Classification and the Locarno Classification; the WIPO Statistics Database; the collection of IP laws and treaties (WIPO Lex); domain name decisions; and WIPO's growing technical terminology database.
- (ii) The progressive expansion of the data collections through voluntary participation by Member States, with the Secretariat providing the lead for international coordination.
- (iii) The development of synergies between the Organization's modernization and automation program for developing countries (under Strategic Goal IV (Coordination and Development of Global IP Infrastructure)), so that national office IT systems automatically generate the data that needs to be transmitted to WIPO, either pursuant to statutory obligations or pursuant to voluntary arrangements.
- (iv) Cooperation with national offices to use, wherever possible, simultaneous searches of multiple databases to provide comprehensive coverage of data collections available throughout the world.
- (v) The progressive development of the World IP Report, with its statistical appendices, into an annual report that would constitute the world annual reference report for IP.
- (vi) The expansion of the WIPO Statistics Database to cover other data fields relating to innovation creativity and the knowledge economy.
- (vii) The conduct and publication of studies to better understand the relationship between IP protection and economic development.
- (viii) The development of a network of economists in national offices and intergovernmental organizations concerned with IP, and the establishment of cooperation amongst them in work programs relating to economic analysis. WIPO would act as the coordinator of this network, acting as the clearing house for studies conducted by different offices using the envisaged IP economics web portal, facilitating joint approaches to economic analysis, and collaborating in the organization of regular meetings of the Network. Special efforts will be made to encourage greater participation by developing countries, also in light of the emphasis placed on economic studies within the WIPO Development Agenda.

STRATEGIC GOAL VI

International Cooperation on Building Respect for Intellectual Property

Strategic Outcome	Outcome Indicators
<p>Shared understanding and cooperation among Member States to build respect for IP</p>	<ol style="list-style-type: none"> 1. Increased international cooperation with Member States, NGOs, IGOs and the private sector 2. Balanced policy dialogue within the auspices of the WIPO Advisory Committee on Enforcement (ACE), taking into account development-oriented concerns 3. Enhanced capacity among Member States for addressing piracy and counterfeiting.

STRATEGIC GOAL VI International Cooperation on Building Respect for Intellectual Property

Respect for intellectual property is a basic tenet of membership of WIPO. Building respect for IP embodies a broader approach than that covered by the enforcement of IP rights alone. It calls for a focus on international cooperation where WIPO can make a difference. This is a broad, cross-cutting goal, supported by many different areas of WIPO's activities. The WIPO Advisory Committee on Enforcement (ACE) serves as a mechanism for Member States to coordinate work towards this goal. Work under this Strategic Goal is guided by Development Agenda Recommendation 45.

CHALLENGES AND OPPORTUNITIES

Problems of counterfeiting and piracy confront *all* countries across the globe, as reflected in the continuous requests from Member States for practical cooperation and assistance in their national efforts to address the impact of counterfeiting and piracy.

At the same time, an ever growing number of multilateral, plurilateral and bilateral initiatives and trade negotiations are seeking to address counterfeiting and piracy from various angles. In this political climate, one of the major challenges for WIPO will be to engage all Member States and stakeholders in a balanced and constructive policy dialogue at the Advisory Committee on Enforcement (ACE). This will require providing a trusted forum for discussions, within which the elements that create respect for IP are carefully analyzed and defined in all their complexities.

A balanced, development-oriented approach, in consonance with Recommendation 45 of the Development Agenda, and going beyond purely operational law enforcement, will also need to guide the Secretariat's work in the context of its assistance to Member States.

The Secretariat will, moreover, have to build extensively on, and further engage in, close cooperation with the many other international initiatives to ensure balance and transparency; to enhance the efficacy of the various endeavors; and to avoid a duplication of work.

STRATEGIES

Against that background, the medium term strategies can be summarized as follows:

- (i) Within the framework of the ACE, WIPO will work towards steering and servicing an informed and balanced policy dialogue, taking into account Recommendation 45 of the WIPO Development Agenda.
- (ii) Empirical studies and research will be conducted and analyzed to assist the ACE in assessing the socio-economic impact of counterfeiting and piracy; in fully understanding the socio-economic reasons that fuel counterfeiting and piracy; and in identifying elements that will help build respect for IP rights, taking account of development-oriented concerns.
- (iii) The ACE may require considerable time to examine the myriad of issues at stake before moving to the second phase, namely, agreeing on constructive strategies to address the problems.

- (iv) WIPO will continue to develop the legal and technical assistance and capacity building it provides to Member States – based on their individual needs – in the light of the socio-economic and technological complexities underlying counterfeiting and piracy, both nationally and across borders, and will be guided by the findings of the research produced at the ACE.
- (v) Differentiated and more specialized technical assistance services will be provided to reflect the widely differing needs and levels of knowledge of law enforcement officials in many developing and least developed countries and transition economies. Services will continue to include assistance to enable law enforcement officials to implement obligations under Part III of the TRIPS Agreement.
- (vi) The Secretariat will continue to engage closely with other international organizations and the private sector, ensuring appropriate collaboration and acknowledgement of work-streams in other fora. It will do so in a transparent manner and in accordance with the Development Agenda, reporting back to Member States. It will also assume a leadership role in building strategic international cooperation on IP issues. This will include working towards ensuring further integration of development-oriented concerns in joint projects.

[Blank page]

STRATEGIC GOAL VII

Addressing IP in Relation to Global Policy Issues

Strategic Outcome	Outcome Indicators
<p>International discussions on global public policy issues are fully informed about the role of IP as a policy tool for promoting innovation and technology transfer</p>	<ol style="list-style-type: none"> 1. WIPO recognized as the leading UN forum for addressing the interface between IP and global public policy issues 2. WIPO's input is increasingly reflected in international discussions on global public policy issues 3. IP-based mechanisms are established to address global public policy issues

STRATEGIC GOAL VII Addressing IP in Relation to Global Policy Issues

This Strategic Goal reflects WIPO's potential to serve as the leading intergovernmental forum for addressing the intersection between IP, innovation and global public policy issues. It implies proactive and substantive engagement with other UN, intergovernmental, and non-governmental organizations in order to contribute to the search for shared solutions to the major challenges facing humanity, including climate change, food security, public health, the protection of biodiversity and meeting the Millennium Development Goals (MDGs). The most immediate impact of many of these global problems is borne by developing and least developed countries, and the programs under this Strategic Goal will be closely involved in the realization of development objectives and Development Agenda recommendations.

CHALLENGES AND OPPORTUNITIES

Technology has, historically, provided the means by which humanity has addressed social and environmental challenges. In a broad sense, it has offered ways to improve our response to isolation and distance, to inadequate agricultural productivity, to threats to public health, to lack of readiness for hurricanes and typhoons, and so forth. Not surprisingly, rights that restrict use of new technologies may engender controversy. On the other hand, if there are no new technologies, there will be not only no controversies, but also no improvements to our capacity to respond to challenges. Balance between incentivizing investment in new technologies, on the one hand, and giving access to the social benefit of the new technologies, on the other hand, is a key principle.

Because of our increased reliance on technology, the discussion concerning the interface between IP and global public policy issues can be contentious and difficult. The importance of the issues at stake, and the common interest in improved information tools to support and guide policy debate and in clearer linkages between policy debate and technical analysis, provide both an opportunity and a challenge for WIPO.

The challenge is to ensure that WIPO can contribute its distinctive IP expertise to these crucial policy debates and, in doing so, work in partnership with a host of agencies and processes within the United Nations system and in other inter-governmental fora. Successfully addressing this challenge presents an opportunity to establish WIPO as the first point of reference on the interface between public policy issues and IP. To achieve this goal, WIPO needs to ensure that its contribution is of the highest quality, that it is balanced and evidence-based, that it is targeted accurately, that it takes into consideration adequately the concerns of its Member States, and that it is supported through partnership building.

This also requires a clear understanding of the priorities in terms of WIPO's partnerships and engagement according to where it can have greatest positive impact on the key public policy issues. Key partners among the UN System of organizations will include, for example, the World Health Organization (WHO) on the interface between IP and public health; the UN Framework Convention on Climate Change (UNFCCC), the UN Environment Programme (UNEP), and World Meteorological Organization (WMO) on issues relating to IP, technology and climate change; the Convention on Biological Diversity (CBD) on aspects of biodiversity which are relevant in particular for WIPO's work in the area of traditional knowledge and genetic resources; the UN Industrial Development Organization (UNIDO), the UN Development Programme (UNDP), and the UN Conference on Trade and Development (UNCTAD) on issues relating to IP and

development; the International Telecommunications Union (ITU) on addressing IP issues in the context of the information society; the UN Educational, Scientific and Cultural Organization (UNESCO) for the relationship between IP and culture; as well as the World Trade Organization (WTO) on a number of cross-cutting issues. WIPO must also look at leveraging these and wider networks and partnerships to support the Organization's work through joint activities and resource mobilization (see also Strategic Goal III (Facilitating the Use of IP for Development) and VIII (A Responsive Communications Interface between WIPO, its Member States and all Stakeholders)).

In recent years, major IP discussions have taken place outside WIPO and without its active participation. In order for WIPO to realize its full potential in addressing the interface between IP and global policy issues, it must ensure the trust of potential partners by providing significant contributions that not only move the debates forward in terms of better understanding of the issues, but also generate confidence as to the impartiality of its contributions.

STRATEGIES

The following strategies would guide WIPO's approach in this area:

- (i) Ensuring WIPO's engagement in all relevant public policy process and negotiations (e.g. related to public health, climate change, food security, the digital divide and the MDGs) to provide support to those processes and help establish WIPO as the forum and reference point for Member States on the interface between the international IP system and global public policy issues.
- (ii) Developing sound information tools on the basis of patent data in sectors of technology of public policy interest in a form that is useful for practical policy-makers (in collaboration with the work undertaken under Strategic Goal IV (Coordination and Development of Global IP Infrastructure) and Strategic Goal V (World Reference Source for IP Information and Analysis)). This would include patent landscaping and other information on the legal status of patents on environmental technologies, and information on practical ways of ensuring access to, and local development of, such technologies in developing countries.
- (iii) Developing partnerships and collaborations for the use of IP as a policy tool to achieve public welfare outcomes by promoting innovation and transfer of key technologies, especially to deal with global challenges such as climate change, food security, public health, etc.
- (iv) Developing voluntary innovation structures for these purposes through such mechanisms as:
 - collaborative innovation;
 - more effective and responsible licensing schemes;
 - product development partnerships;
 - patent commons and pooling initiatives; and
 - dispute resolution mechanisms designed to minimize interference with the intended functioning of such structures.

This may include:

- exploring the development of a comprehensive platform (or platforms) of patent and other proprietary information, including facilitation of technology transfer and partnerships through an open innovation model of access to IP rights, that would accelerate product development in public health, food security and climate change, as appropriate; and

Medium Term Strategic Plan 2010–15: (August 2010)

- exploring the creation of a partnership hub with a forum where interested parties can learn about available licensing opportunities, as well as available funding.
- (v) Offering other support services in response to requests from Member States, such as enhancing the absorptive capacities of recipient states through capacity building, legislative assistance, practical technology licensing models, and arbitration and mediation services.

STRATEGIC GOAL VIII

A Responsive Communications Interface between WIPO, its Member States, and all Stakeholders

Strategic Outcomes	Outcome Indicators
<p>WIPO recognized as the primary trusted provider of international IP expertise, information and services in support of innovation and creativity</p>	<ol style="list-style-type: none"> 1. Enhanced awareness and understanding of the role of IP in encouraging creativity and innovation 2. Enhanced recognition of WIPO's corporate identity in line with its mission, mandate and values
<p>Service-oriented culture established throughout the Organization</p>	<ol style="list-style-type: none"> 3. Higher satisfaction of Member States, other stakeholders, users and the interested public with WIPO's service provision

STRATEGIC GOAL VIII A Responsive Communications Interface between WIPO, its Member States, and all Stakeholders

This Strategic Goal signals the high priority which the WIPO Secretariat attaches to effective communication as an essential enabler of success in every aspect of its work, and to service as a core, corporate value. WIPO provides diverse services to a wide range of stakeholders – first and foremost, as a United Nations Specialized Agency, to its Member States. Such services include support to the Committees in their normative activities, capacity building services to developing countries, information and technical services, as well as the global IP registration, filing and dispute resolution services.

CHALLENGES AND OPPORTUNITIES

Once perceived as a largely technical matter, intellectual property now figures high on public and political agendas worldwide. This change is a normal consequence of the advent of the knowledge economy, in which the component of production represented by knowledge has vastly increased in value. With that increased value has come greater interest in, and contestation about, property rights in knowledge. In policy fora, among civil society, in the press and on the Internet, a vigorous, and often polemical, debate is underway. The debate covers a vast range of issues, reflecting the breadth of the subject-matter on which IP operates – questions of consumer choice and cultural policy; access to music and other cultural works; access to medicines; and the role of innovation in the transition to a carbon-neutral or carbon-free economy - to mention only part of the range.

Yet, while general public awareness of IP has increased, knowledge and understanding of the issues remain uneven. Information gaps abound, and too often are filled by partial sources, sometimes leading to polarized views of IP and to inaccurate perceptions of WIPO's role. The public debate represents both a challenge and an opportunity for WIPO.

As scrutiny of the IP system continues, WIPO must demonstrate the ability to anticipate and address controversial issues in an open, neutral manner. Meanwhile, the widespread recognition of the importance of IP and innovation in the knowledge-based economy creates the opportunity to raise WIPO's global profile as the Organization best placed to facilitate informed, multilateral dialogue among all stakeholders and as the primary, trusted provider of international IP expertise, information and services. This requires a communication strategy that is closely aligned to WIPO's Strategic Goals V (World Reference Source for IP Information and Analysis), VII (Addressing IP in relation to Global Policy Issues) and IX (An Efficient Administrative and Financial Support Structure to enable WIPO to deliver its Programs (as regards notably the language services and policy of the Organization)). It also depends upon WIPO having an in-depth knowledge of the dynamics of the discussions and negotiations in other fora to ensure the effective delivery of IP messages to the relevant target groups.

The global spread of Internet access and the exponential growth of new media offer major opportunities for WIPO to extend its reach to new audiences and so to increase access to knowledge and to build understanding in different communities.

Communication is also an essential part of service delivery. As a provider of global IP services in an increasingly competitive environment, WIPO must improve its relationship with, and knowledge of, its diverse clients and stakeholders. This requires building a strong culture of

service throughout the Organization, as well as developing the infrastructure needed to better serve, track and satisfy clients.

In sum, WIPO must address several key challenges in communications in the medium term. These include:

- The polemical nature of the debate on major IP issues and the lack of balanced, objective public information about the use, impact and evolution of the IP system.
- A lack of public awareness and understanding of WIPO's role, activities, and services, together with the absence of a strong, recognizable WIPO brand or consistent corporate identity.
- An internal culture in which responsive service has not been consistently prioritized.
- Inadequate internal coordination mechanisms and procedures for communications, leading to disparate communications-related activities and to inconsistent quality of output across the Organization.
- A need to address internal training to remedy the shortfall in staff with key communication skills, including content creation, editing, publishing, web management, marketing and brand development.

STRATEGIES

The strategies employed to meet these challenges and exploit opportunities in the medium term will include:

- (i) *Internal Organization.* The systematic integration of communications awareness and practices into the International Bureau's work and culture at all levels, including by:
 - developing and disseminating clear objectives, policies and coordination mechanisms with regard to communications so as to ensure that the Organization's voice is coherent and consistent.
 - establishing Organization-wide procedures, guidelines and standards for publications, web publishing, communications with the press and the public, to ensure that all WIPO information products meet standards of quality, impact, and need.
 - ensuring proactive senior and mid-level management participation in, and support of, the achievement of identified communications and external relations objectives.
- (ii) *Honest Broker.* A continuing commitment by the Secretariat to transparent working methods, effective consultation processes and responsiveness to the concerns and information needs of its Member States. A sustained effort to build trust in WIPO's communications and to promote informed dialogue by providing information-rich, balanced, explanatory material to address identified gaps in information or understanding about IP and about WIPO's work. This includes effective cooperation with other IGOs and NGOs.
- (iii) *Audience and Media Differentiation.* Differentiation of target audiences and enhanced communication delivery through the Internet, publications, film and the media. Exploitation of the diverse possibilities offered by new media. Significant further development of the WIPO website to increase accessibility and language diversity. Effective use for communication purposes of WIPO seminars and training, including those conducted by the WIPO Academy. Optimization of the communications value of major WIPO events and projects.
- (iv) *Outreach Tools.* Extension of the reach and impact of WIPO's public awareness raising output – and the creation of a multiplier effect – by providing capacity building tools and

assistance to Member States and stakeholder groups, particularly in developing countries, wishing to conduct national or regional awareness-raising campaigns.

- (v) *Organizational Identity.* Developing a strong WIPO image and corporate identity to help achieve widespread recognition of WIPO as a UN agency dedicated to encouraging creativity and innovation, and as the premier provider of international IP services and information.
- (vi) *Service-oriented Culture.* Promotion of a service-oriented culture through a bottom-up/top-down approach, including establishing and training service focal points throughout the Secretariat to respond promptly and effectively to all enquiries.
- (vii) *Integrated Stakeholder Relationship Management.* Development and implementation of a uniform infrastructure, including telephone and email tracking, standardized data collection and database, and an integrated stakeholder relationship management system to cater to all recipients of WIPO services and users of its systems.
- (viii) *Internal Capacity Building.* Acquisition – through training, redeployment and recruitment – of the core skills and expertise needed to deliver the above.

STRATEGIC GOAL IX

An Efficient Administrative and Financial Support Structure to enable WIPO to deliver its Programs

Strategic Outcomes	Outcome Indicators
<p>A delivery-oriented, resource-effective and integrated administration that enables WIPO to deliver on its mandate, and is responsive to the changing needs of the Organization and its stakeholders</p>	<ol style="list-style-type: none"> 1. A well managed, geographically diversified and appropriately skilled professional workforce 2. An up-to-date and enabling management and administrative infrastructure 3. Reduced share of administration and management costs in overall expenditure
<p>An environmentally and socially responsible Organization with a strong focus on performance, achievement of results, accountability and learning, transparency, ethics and integrity</p>	<ol style="list-style-type: none"> 1. Enhanced results-based management at WIPO 2. Strengthened internal control and ethics systems 3. Reduced adverse impact of WIPO on the environment

STRATEGIC GOAL IX An Efficient Administrative and Financial Support Structure to enable WIPO to deliver its Programs

Strategic Goal IX is the second of two enabling goals. It reflects and responds to the needs of the Organization as a whole for an administrative, financial and management support structure focused on enabling program delivery, with efficiency and transparency as guiding principles. This strategic goal also covers the broad institutional reform (the Strategic Realignment Program) that will enable WIPO to provide better, more efficient and cost-effective support and to achieve enhanced performance.

CHALLENGES AND OPPORTUNITIES

In order to achieve its substantive goals, the Organization must have

- well managed and appropriately skilled human capital, which is
 - acting within a robust and enabling regulatory framework
 - using efficient administrative procedures and systems
 - backed by an appropriate level of financial resources.

The achievement of each of these desired characteristics presents a challenge in the medium term for which the Strategic Realignment Program (SRP), with its four core values, and this MTSP propose the future path.

Well-managed and appropriately skilled human resources. In the construction of well-managed and appropriately skilled human resources, many challenges will need to be addressed, in particular, the need for a balanced geographical and gender representation among the staff; the gap between the current staffing competencies and the competencies required for the Organization's future needs; the low turnover rate, which limits the possibilities for rejuvenating and re-skilling the workforce; the need for an extensive training program for developing staff and managements skills in support of the new focus on performance; and the need for policies to promote work/life balance.

Comprehensive enabling regulatory environment. The challenges that need to be addressed in order to establish a comprehensive enabling regulatory environment include the need for the implementation of an internal control system; the need for a best-practice-based administrative and management structure in accordance with RAA (Responsibility, Authority and Accountability) principles; and a set of Staff Rules and Regulations that conform to best practices.

Efficiency of administrative procedures and systems. Many issues must be addressed in order to improve the efficiency of administrative procedures and systems. These include the need for a comprehensive IT Strategy for the Organization that is responsive to evolving business needs and embraces a robust IT Security plan; the need to automate many of the currently manual and time consuming processes for administration; the need for a monitoring and performance assessment system to enable managers to monitor, manage and report on their program and to ensure that all available financial and human resources continue to support the expected results; the need to modernize existing conference services, including the greater use of digital

technologies for the recording of meetings and enhanced electronic distribution methods for documents in order to reduce the paper-based handling of documents.

Language barrier. The challenge of the language barrier must also be addressed. Many Member States face difficulties in being able to comprehend, communicate and interact in the discussions, deliberations and negotiations in WIPO bodies, including important deliberations with legal implications, due to the unavailability of documents and publications in all of the UN official languages. Similar issues apply with regard to the benefit that these Member States can derive from WIPO's publications in their home countries. There is a need, therefore, for an effective and comprehensive language policy, corresponding to the needs of the Organization's members, and covering meetings, documents, publications and the WIPO website.

Financial resources. The medium term may see pressure on WIPO's financial resources. The opportunities for the growth of existing revenue-producing services are limited. On the other hand, the increased interest in IP as a consequence of the knowledge economy is fuelling rates of growth in demand for capacity building and other development services that are likely to exceed the rates of growth in revenue. The Organization may need to pursue more vigorously extra-budgetary sources in order to meet the growing demand.

Change management. Orchestrating large-scale change in any organization is inherently difficult and requires time. Ensuring that strategic change is translated into the culture and day-to-day behavior of the Organization is a major challenge that requires a longer term perspective and commitment, as well as leadership from the Senior Management Team. Overcoming natural resistance to change and building ownership requires careful, two-way internal communication; leading and sponsoring of change initiatives from the top; and benefiting from the knowledge, expertise and experience of the staff working for the Organization in the design and implementation of such change. Understanding and communicating with Member States and other external stakeholders is equally a critical success factor for ensuring that the corporate culture reflects stakeholder needs and embraces a service-oriented focus. These communication challenges are also addressed under Strategic Goal VIII.

STRATEGIES

In order to respond to the above challenges and needs, broad complementary approaches are required. In the past year, significant efforts have started in internal reforms to enhance the Organization's administrative and managerial capabilities. These efforts will continue and intensify in the coming years. However, the continued successful implementation of these strategic approaches will require the commitment and active support of WIPO's stakeholders.

The main strategies envisaged in the 2010-2015 timeframe are:

- (i) Establishing a strong management culture with a focus on performance, results and risk management, at the organizational, program and individual staff level, by providing managers with the tools and training to use meaningful performance information in support of managerial decision-making.
- (ii) Establishing a best-practice-based administrative and management structure in accordance with RAA principles (Responsibility, Authority and Accountability), which enables integrated resource management and the implementation of policies and procedures in a consistent and cohesive manner.
- (iii) Ensuring that the right people are in the right jobs and are motivated to deliver results, through the realignment of structures and human resources, supported by better job design and by a performance management and staff development process.
- (iv) Continuing the reform of the human resources management policies and processes to ensure best-practice recruitment (including gender balance in line with UN common

system best-practice and improved geographical representation in the professional and higher categories), classification, a culture of learning, and an environment that fosters ethical behavior.

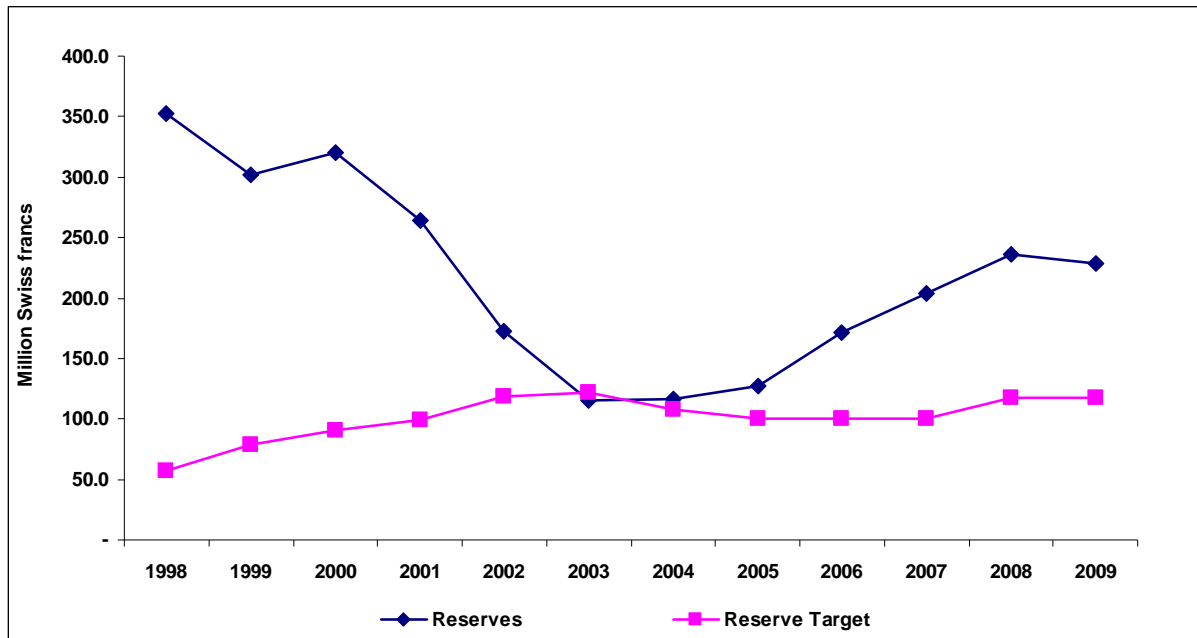
- (v) Building and maintaining confidence in the new Performance Management and Staff Development System (PMSDS) by ensuring that it is applied fairly, objectively and consistently across the Organization.
- (vi) Improving service delivery and reducing transaction costs across the administration and management functions through streamlining and re-engineering the management and administrative processes and supporting them with a robust, integrated and state-of-the-art Enterprise Resource Planning (ERP) System and clearly defined service level agreements (SLAs).
- (vii) Reviewing and strengthening the procurement and travel policy, process and associated procedures, including the use of demand forecasting, better planning, the development of alternative sourcing strategies and the negotiation of framework agreements for commonly used goods and services.
- (viii) Developing and implementing a comprehensive ICT strategy that tracks and exploits advances in information technology and responds to business needs.
- (ix) Developing and mainstreaming environmentally friendly practices, including “green” procurement, that will help the Organization reduce its carbon footprint and move towards carbon neutrality.
- (x) Identifying and implementing actions to move WIPO steadily towards an environment that is accessible to the physically, cognitively and visually impaired.
- (xi) Elaborating a comprehensive language policy, developed in consultation with Member States, which responds to the needs of Member States and covers meeting documents, interpretation, publications and the WIPO website.
- (xii) Reviewing and streamlining the policies and procedures governing the production and distribution of meeting documents; streamlining the accreditation process of delegates and visitors at conferences, meetings and special events to enable WIPO to offer a more secure and user-friendly registration process for delegates and visitors.
- (xiii) Reviewing and streamlining the policies and procedures governing records management and archiving services, including the introduction of electronic archiving and retrieval technology in order to facilitate access to the institutional memory of the Organization.
- (xiv) Developing and implementing a strategy for space utilization, which ensures the most cost-effective management and use of WIPO’s premises, including conference and meeting facilities, and which takes account of the needs of the Organization, as well as its Member States, in the holding of a wide variety of intergovernmental and stakeholders meetings.
- (xv) Providing support to further improve and diversify the income-earning capacity of the Organization, through enabling and fostering business development and partnerships, planning, diversification and growth.

ANNEX I

FINANCIAL OVERVIEW 2010-2015

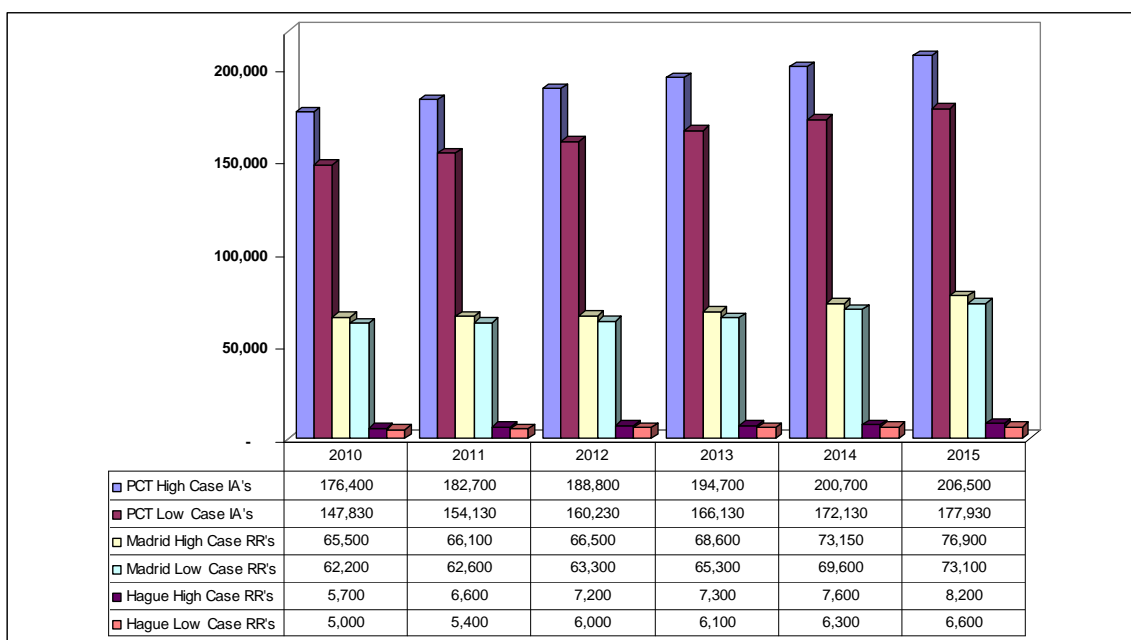
The finances of the Organization are sound as a result of prudent financial management. Following a number of years of deficit budgets, the Organization has rebuilt its reserves to levels above the statutory target levels required. Ensuring that this continues to be the case over the medium term, however, requires continued prudent and careful financial planning and resource management. The medium term will see a transition to International Public Sector Accounting Standards (IPSAS) and the completion of the building projects under way, including a new administrative building, and a new conference facility adequate to the growing demands of the Organization.

Chart 1. Evolution of Reserves and reserve Targets 1998-2009



The workload volumes foreseen for the PCT, Madrid and Hague systems (high case and low case) are illustrated in Chart 2 below. For further detailed information on workload volumes and the evolution of demand for services under the PCT, Madrid and the Hague system in the medium term, please also see the Program and Budget for the 2010/11 Biennium (document Publication No. 360E/PB1011), Annex IV.

Chart 2. Projected Levels for PCT, Madrid, and Hague System Registration Activities 2010-2015



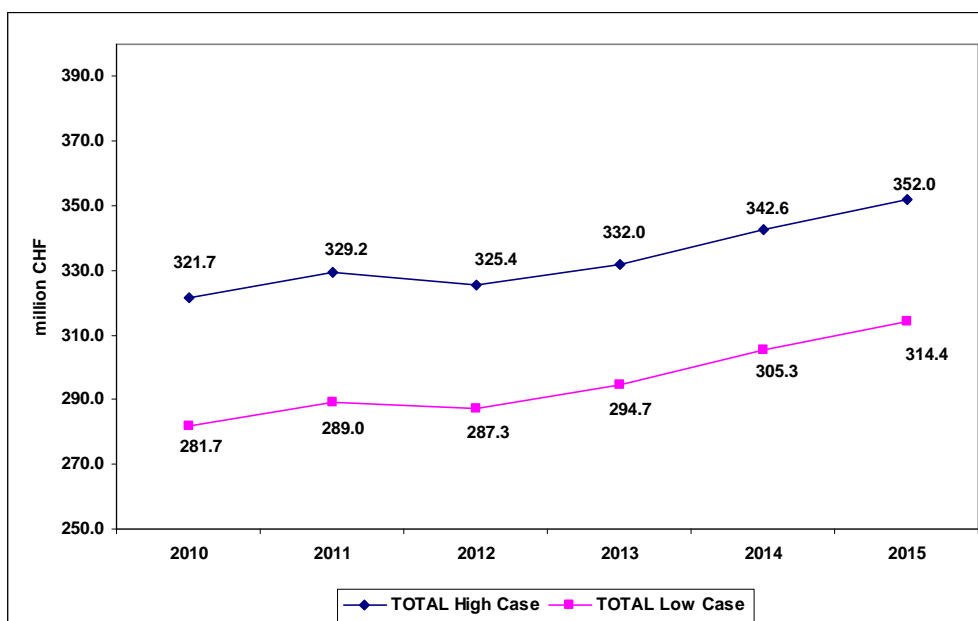
It should be noted, however, that the rate of increase of fee income from the PCT system, which alone provides over 70 percent of the Organization’s income, has begun to decline over the past years and, with the increasing maturity of the system in terms of geographical coverage and awareness amongst users, is unlikely to return to the growth rates seen in earlier years. As indicated by Table 1 below, the Madrid system is expected to expand more over the medium term than the PCT system, but the revenue generating capacity of the former provides under 20 percent of WIPO’s total income, which limits the impact of growth on the total income of the Organization.

Table 1. Annual Growth Rates for the PCT, Madrid and Hague Registration Activities in 2010-2015

	2010 <i>Estimates</i>	2011 <i>Estimates</i>	2012 <i>Estimates</i>	2013 <i>Estimates</i>	2014 <i>Estimates</i>	2015 <i>Estimates</i>
PCT International Applications						
High case	3.8%	3.6%	3.3%	3.1%	3.1%	2.9%
Low case	-5.0%	4.3%	4.0%	3.7%	3.6%	3.4%
Madrid Registrations and Renewals						
High case	7.0%	0.9%	0.6%	3.2%	6.6%	5.1%
Low case	5.1%	0.6%	1.1%	3.2%	6.6%	5.0%
Hague Registrations and Renewals						
High case	14.0%	15.8%	9.1%	1.4%	4.1%	7.9%
Low case	6.4%	8.0%	11.1%	1.7%	3.3%	4.8%

During the period 2010-15, WIPO expects to see a return to continuing modest increase of its revenue levels, following the downturn resulting from the impact of the global financial and economic crisis in 2008/09 and 2010/11. WIPO's business structure therefore contains certain inherent limits to further significant growth in income levels. Total income is forecast to reach between 620 million Swiss francs (low case) and 695 million Swiss francs (high case) by the 2014/15 biennium.

Chart 3. Overall Income Range Forecasts 2010-2015



At the same time, the upward pressure on the overall level of expenditures will continue to grow as a result of the increasing cost of ensuring delivery of treaty obligations (staff as well as non-staff costs), the growth in demand for services from developing countries and countries in transition, as well as the overall cost of administrative support to enable continued delivery of these services. This upward pressure is expected to continue even alongside a restructured resource base and realigned organizational and business structure, which will continue to require that WIPO

- (i) maintains and strengthens a responsible spending culture in all its activities;

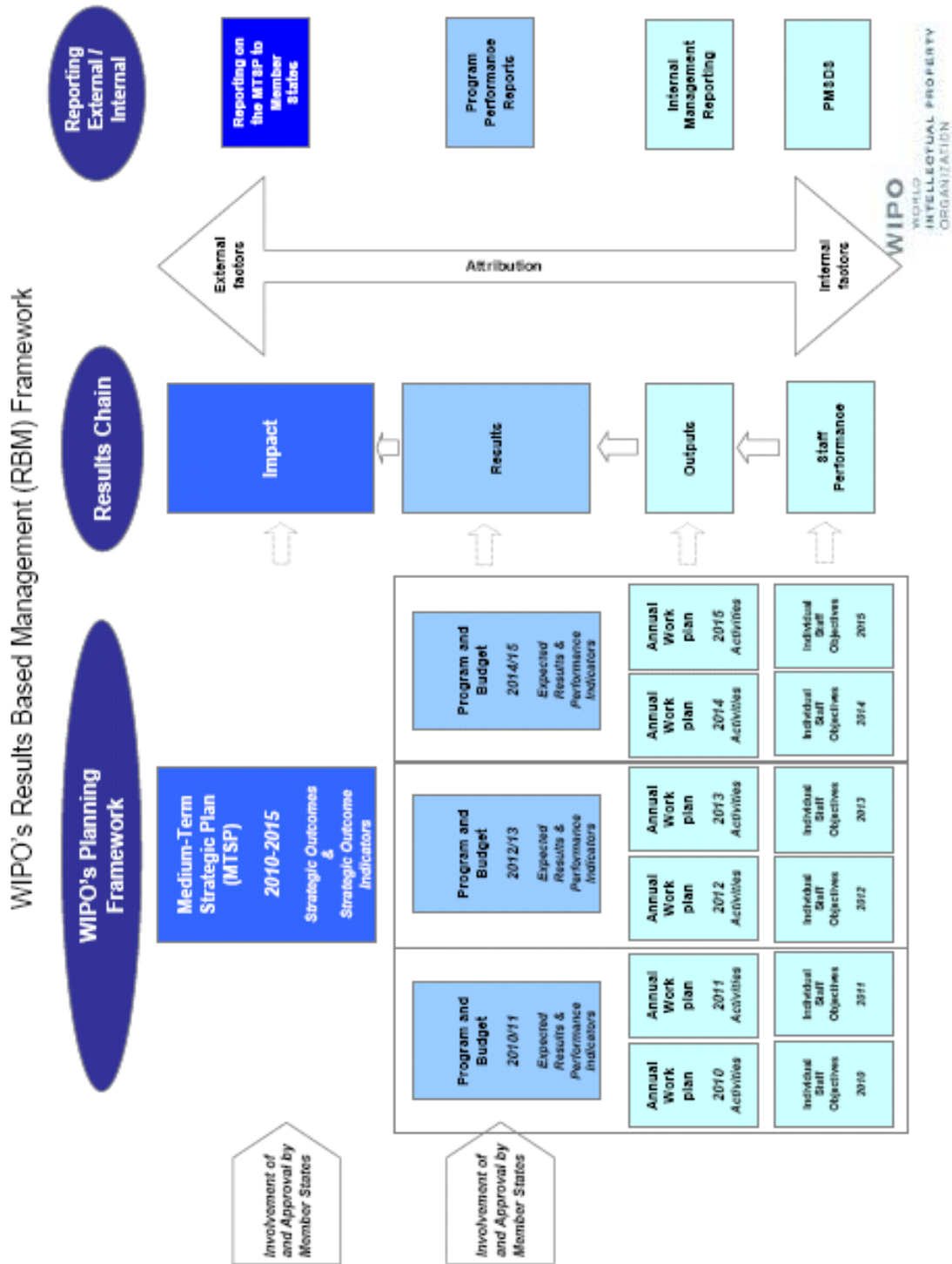
- (ii) continues to ensure that it plans for maintaining healthy reserves, financially sustainable operations, and balanced budgets; and
- (iii) explores the opportunities and possibilities for generating further income in return for services rendered in its core operating activities.

Within this overall financial environment and the more modest income growth forecast in the medium term as compared with previous biennia, WIPO's dependency on its traditional revenue streams (i.e., the registration systems) limits the Organization's ability to respond to ever increasing additional demands for its services. As recognition of the importance of IP for development increases, so does the growth in demand for WIPO's support to developing countries. The relative share of WIPO's budget devoted to development activities has shown steady increases in recent biennia (14 percent for 2006/07; 18.7 percent for 2008/09; 19.2 percent for 2010/11). This means that in real terms the resources budgeted depend upon the resources available in the overall budget; if the budget grows, so do the resources available for development. On that basis, and given the limited growth in income in the medium term, resources available for development related activities are likely to increase at similar moderate levels.

The main options to increase resources available to help the organization meet the various demands are: to free up resources through improved efficiency; to increase revenue producing products and services in appropriate circumstances; and to diversify WIPO's income portfolio by offering new products and services and mobilizing extra-budgetary resources. The latter is already a key objective for WIPO as reflected in the Program and Budget 2010/11. The WIPO Conference on Building Partnerships for Mobilizing Resources for Development (2009) which was organized in the context of the WIPO Development Agenda Recommendation 2, and its follow-up, is another signal of the Organization's intention to do more to mobilize extra-budgetary resources. An ambitious target of a 20 percent increase in contributions to WIPO Funds in Trust has been agreed by Member States for the end of the 2010/11 biennium. Further targets will be proposed for future biennia dependent upon the results achieved. It is important to note that extra-budgetary funding is not intended to replace regular budget funding for development related activities; rather it is to accelerate and provide additional and complimentary support to developing country Member States, as well as to help improve the efficiency and effectiveness of the Organization's technical assistance and capacity building work.

ANNEX II

WIPO'S RESULTS-BASED MANAGEMENT FRAMEWORK



[End of document]